

MODIFIED GENERAL PROJECT PLAN

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT

CANALSIDE LAND USE IMPROVEMENT PROJECT

General Project Plan Adopted December 18, 2009

Modified October 21, 2010

Further Modified November 15, 2012

Further Modified November 13, 2013

Further Modified September 20, 2018

Further Modified January 20, 2022

A. INTRODUCTION

The Canalside Land Use Improvement Project (the “Project”) has been established as a project under the New York State Urban Development Corporation Act (the “UDC Act”). The Project is being undertaken by the New York State Urban Development Corporation (“UDC”) d/b/a Empire State Development (“ESD”) and the Erie Canal Harbor Development Corporation (“ECHDC”), a subsidiary of UDC. The City of Buffalo (the “City”) and the County of Erie (the “County”) are also participating in the development and implementation of the Project. ESD is adopting this Modified General Project Plan (“MGPP”) in accordance with the UDC Act and is empowered to undertake the Project as a land use improvement project because the area of the Project is located in a substandard or blighted area; the Project consists of a plan for the reconstruction and rehabilitation of the area for recreational and other facilities; and the Project affords maximum opportunity for participation by private enterprise. Support for these findings is discussed herein.

The Project will consist of various public improvements along the Buffalo waterfront that will be designed to emphasize downtown Buffalo’s connection to the Lake Erie waterfront through the construction of a network of interpretive water elements evoking the character and vibrancy of the historic canals that once crossed the area, including segments of the Erie Canal, the Commercial Slip, and the Main and Hamburg Canal. The Project will ultimately provide various year-round offerings and experiences, including restaurants, entertainment venues, retail outlets, cultural attractions, vast public spaces, and increased access to the Buffalo River, appealing to a wide demographic of visitors and residents.

The Project Area is adjacent to the Commercial Slip area and the Naval and Military Park, redeveloped by ESD and ECHDC as part of the decades-long effort led by the City, ESD and many other stakeholders to

create a vibrant Erie Canal Harbor area. These planning efforts by ESD began in earnest with the development of a master plan for the main infrastructure components on the waterfront in 1999 ("1999 Master Plan"), which led to a final plan in 2004 known as the Erie Canal Harbor Master Plan ("2004 ECHMP"), and continued with the establishment of ECHDC in 2005 as a subsidiary development agency with a singular focus on redevelopment of Buffalo's downtown waterfront. Since its creation, ECHDC has facilitated the next phase of waterfront development by guiding design and development of the Project, including negotiations and planning to attract national and local retailers and engage private developer(s).

The original General Project Plan ("GPP") for the Project was adopted on December 18, 2009 and affirmed on March 26, 2010. The GPP included, as part of the plan, the development of a major Bass Pro store on the northern portion of the block bounded by Lower Terrace to the north; Pearl and Commercial Streets to the west; Marine Drive to the South; and Main Street to the east (referred to as the "Aud Block" because it was the site of the former Buffalo Memorial Auditorium). Bass Pro withdrew from the Project in 2010 and as a result, on October 21, 2010, ESD and ECHDC adopted a Modified General Project Plan ("2010 MGPP") to advance the Project in phases. The 2010 MGPP, which removed Bass Pro from Project planning and provided for the construction of a series of canal features following the original alignment of the Erie Canal, the Hamburg Canal, and the Commercial Slip, was affirmed on December 16, 2010.

The 2012 MGPP included the Harborcenter development, a mixed-use complex on the Webster Block that included a sixteen story, nearly 614,000 square foot, mixed-use building with a twin-rink hockey complex, a hotel of up to 200 rooms, retail and restaurant space and a five-level parking structure designed to accommodate 965 parking spaces. The building was constructed on the 1.7 acres Webster Block and the two westernmost lanes of Washington Street, along with a raised walkway crossing over Perry Street that connects the Harborcenter to the KeyBank Center. The nearly 115,00 square foot hockey complex compliments the KeyBank Center with two National Hockey League sized ice sheets, 2,000 +/- spectator seats, locker rooms, administrative and maintenance areas, concessions, restrooms, and a large concourse. Retail and restaurant space are located on the ground level with additional restaurant capacity on the second floor. This MGPP was adopted on November 15, 2012 and affirmed on January 16, 2013.

The 2013 MGPP included dividing the southern Aud Block into smaller development parcels based on the location of former streets and the Prime Slip. At the time, it was expected that the ECHDC would redevelop this portion of the Project Area with nearly 100,000 square feet of development, including a 15,000 square foot restaurant, 80,000 mixed-use building with office space, residential units and a Children's Museum, and a 5,000 square foot building to be used by ECHDC as a visitor kiosk, storage, restrooms and offices. ECHDC was also to complete additional public infrastructure as part of the site work, including the reconstruction of portions of Canal (aka Lake Street) and Lloyd Street, as well as bikeway trail amenities and signage. Additional interpretive signage was to be incorporated on the site. Finally, the MGPP included the reconstruction of Commercial/Pearl Street between Marine Drive and Lower Terrace, including the intersection of Perry Boulevard using a complete streets concept. In addition, the parking areas under the Skyway located north and south of Perry Boulevard would be redeveloped for Canalside parking. ECHDC was expected to partner with the City of Buffalo, New York State Department of Transportation and Federal Highway Administration to complete the City street

work. This MGPP was adopted on November 13, 2013 and affirmed at the conclusion of the Public Hearing on December 3, 2013.

The 2018 MGPP recognized a new public/private development scenario for the proposed South Aud Block redevelopment projects, including ECHDC completing the core and shell of the Children’s Museum building and a private developer completing full build-out of two mixed-use buildings. ECHDC also agreed to provide funding to complete additional public infrastructure as part of the private developer’s site work, including the reconstruction of sections of Canal Street and Lloyd Street, an interpreted Prime Slip, and canal lighting. The subsequent Heritage Point mixed-use development consists of two buildings, including ground floor retail and restaurants, office, and residential units. This MGPP was adopted on September 20, 2018 and affirmed at the conclusion of the Public Hearing on October 11, 2018.

This current MGPP describes the buildout program of the North Aud Block (i.e., Parcel A1), which was selected as the preferred Concept Plan in January 2020 after considerable stakeholder and public input. This MGPP also describes other modifications within the Project Area, including the Buffalo Heritage Carousel on Parcel E1 and adjacent projects, as well as revisions to the Canalside Design Guidelines, updates to the total Project investment, and anticipated land disposition.

B. LOCATION

The Project is located on approximately 20 acres of vacant, substandard or underutilized land in downtown Buffalo (the “Project Area”), and is generally bounded by the following streets:

- On the north by Upper Terrace and Exchange Streets and Perry Boulevard;
- On the east by Washington Street and Seymour H. Knox III Plaza;
- On the south by Perry Street and Buffalo River; and
- On the west by Erie Street, Marine Drive, and Pearl and Commercial Streets.

A parcel plan for the development of individual parcels within the Project Area, as further described in Table 1 on the following page, is attached hereto as **Exhibit A**.

Development Parcels

Table 1

| Block | Street Address | Parcel | Development | Owner | Completed |
|------------------------|----------------------------|--------|---|-----------------------|-----------|
| Aud Block | Main Street ⁽¹⁾ | A1 | TBD | ECHDC | TBD |
| | 106 Main Street | A2 | Heritage Point | Private | 2023 |
| | 130 Main Street | A3 | Children's Museum | ECHDC | 2019 |
| | | A3 | Main Canal (<i>Public Space</i>) ⁽²⁾ | ECHDC | 2014 |
| Donovan Block | 99 Main Street | D2 | TBD | City/Private | 2024 |
| | 101 Main Street | D3 | East Canal (<i>Public Space</i>) | ECHDC | 2014 |
| | 125 Main Street | D1 | One Canalside | Private | 2013 |
| Webster | 100 Washington | W1 | Harborcenter | Private | 2014 |
| Erie Canal Harbor | 1 Marine Drive | E1 | Carousel | ECHDC | 2021 |
| | 1 Marine Drive | E2 | TBD | City | TBD |
| | | E3 | TBD | City | TBD |
| | | E4 | TBD | City | TBD |
| | | E5 | TBD | City | TBD |
| | | E6 | TBD | City | TBD |
| | | E7 | TBD | City | TBD |
| Skyway Plaza | 1 Marine Drive | E8 | TBD | City ⁽³⁾ | TBD |
| | | E9 | TBD | City ⁽³⁾ | TBD |
| | | E10 | TBD | City ⁽³⁾ | TBD |
| | | E11 | TBD | City ⁽³⁾ | TBD |
| Commercial Slip | Commercial St | C1 | TBD | BMHA | TBD |
| | Commercial St | C2.1 | Surface Parking | NYSDOT ⁽⁴⁾ | 2022 |
| | Marine Drive | C2.2 | TBD | BMHA | TBD |
| "Under-Thruway" Blocks | Exchange Street | T1 | Surface Parking | NYSTA | 2020 |
| | Exchange Street | T2 | TBD | NYSTA | TBD |
| | Commercial St | T3 | Surface Parking | NYSDOT ⁽⁴⁾ | 2022 |

Notes:

¹Address(es) pending based on future development

²Forty Percent (40%) of the Aud Block is required to be Public Space per the Erie County funding agreement

³NYSDOT holds Permanent Easements or FEE Title on these parcels to maintain NY Route 5 (Skyway) overhead

⁴ECHDC holds the Use & Occupancy Permit on this parcel

C. PROJECT GOALS

ESD and ECHDC seek to foster economic growth and expand public use and enjoyment of the Project Area through the implementation of a 20-acre mixed-use real estate development project. The general setting of the Project Area was characterized by several vacant, unvegetated lots, surface parking lots, and the vacant Donovan Building, all framed by the existing city street grid and a combination of transportation infrastructure elements (i.e., elevated highways and transit mall). Surrounding the Project Area are various buildings (i.e., KeyBank Center, HSBC Atrium, Buffalo News Building, Maine Drive Apartment complex, and Naval Park buildings) of different uses, heights, styles and architectural designs. The Project Area's current condition serves to visually disconnect these adjacent areas from recent investments in the Project Area and Buffalo Waterfront.

The principal goal of the Project is to transform the vacant and underutilized Project Area into a vibrant mixed-use, year-round setting for family-oriented uses, including sports, entertainment, cultural, residential, commercial and recreational uses. The Project will build upon the public development framework established through public infrastructure investments such as the Commercial Slip, enhancements to the Naval Park, and reestablishment of portions of the former street grid (e.g., Prime, Lloyd, Hanover Streets). Also, the Project will enhance public access and use of the downtown waterfront, including multimodal connections to transit, bicycle, pedestrian and waterborne networks.

In addition to creating a densely developed area with a mix of amenities and open space on parcels that have been vacant and underutilized for decades, the Project aims to provide for the following public uses and purposes:

- Strengthening and/or establishing the visual and physical connection between adjacent downtown destinations (e.g., Buffalo River, Waterfront Village, and Naval Park).
- Providing ample, visually interesting, and diverse public spaces encouraging year-round use.
- Maximizing area development potential by consolidating surface parking spaces into structured parking.
- Creating an urban, mixed-use setting that builds upon and complements the 2004 ECHMP urban design guidelines set forth in the City's Waterfront Urban Renewal Plan, as amended.
- Promoting and incorporating architectural elements that celebrate and interpret the historical significance of the Erie Canal and its terminus on the 12.5-acre Erie Canal Harbor Project site, as provided for in the 2004 ECHMP.
- Creating tenant spaces suitable for a mix of uses, including office space, hotel space, ground level retail and community facility spaces, to ensure that Buffalo can capture its share of future economic growth and new jobs.

In achieving these goals, the Project will serve a strong public need and will result in noticeable benefits to the local community, including enhanced services and facilities. This critical mass of retail, services and recreation opportunities located on Buffalo's waterfront will attract not only residents of Western New York but also tourists from outside the area. Coupled with the public enhancements and developments

that are envisioned under this MGPP, it is anticipated that a year-round community will be created that will enliven and invigorate an underutilized area of the City.

The Project is also intended to boost the City's economy by developing temporary construction work and significant permanent employment opportunities that will expand the local economy. Also, the Project will generate local tax revenue (either directly or through Payments in Lieu of Taxes [PILOTs]) within an area that has been largely dormant for years. The Project will also create new commercial and residential development within the Project Area. Rather than compete with viable existing commercial and residential development in and around the Project Area, the presence of new development should lead to increased property values and the potential for additional new development in surrounding areas.

D. PROJECT DESCRIPTION

The Project is the next major phase in a decades-long process of waterfront planning and development to create a hub of activity that supports increased economic development opportunities at the foot of Main Street and its surroundings as well as a livable community environment that provides year-round entertainment and recreational activities. Long before the 1999 Master Plan, waterfront redevelopment had been an important priority for the community. In the 1960's a comprehensive Urban Renewal Plan was prepared and adopted for the City's designated Waterfront Redevelopment Project ("Waterfront Urban Renewal Plan"). In the late 1970s, further planning efforts led to the opening of the original Naval Museum. In the 1980s, the Niagara Frontier Transportation Authority's ("NFTA") Light Rail Rapid Transit system ("Metro Rail") was completed, and the downtown transit/pedestrian mall along Main Street was constructed. During this same period, the Horizons Waterfront Commission was formed to lead waterfront planning and development efforts. Each of the development projects completed under these prior planning efforts, from construction of the HSBC Atrium and the Buffalo News building, to the KeyBank Center, has helped to create the foundation upon which Canalside is being planned. Thus, while Canalside is a new project and the first major undertaking for ECHDC, it is the next phase in a decades-long effort led by the City, ESD and many other stakeholders to create a vibrant waterfront area along the Buffalo River, an asset of which the entire community can be proud.

SITEWIDE ELEMENTS

- a) Design Guidelines – To create an attractive, cohesive atmosphere that reflects the City's unique history and provides visual interest, Design Guidelines apply to all development parcels within Canalside. The Design Guidelines provide for a general consistency of design intent, communicated through standards concerning such features as fenestration, materials, color, scale, lighting and signage. The Design Guidelines also encourage visual interest throughout the Project Area, achieved through a variety of forms and materials. At full build-out, the Project will have of a variety of buildings and spaces that have been built over time by different owners and designers. Several core principles served as a framework for various aspects of the Design Guidelines throughout the evolution of the Project including:

- Reconnecting downtown Buffalo to its waterfront through a new, vibrant mixed-use neighborhood;
- Celebrating the best Buffalo has to offer, and creating places that are first and foremost for the residents of the City and their families;
- Creating a new development pattern that is focused around a network of “places” which include a revitalized Main Street, active waterfront, and series of canal water features;
- Providing places for activities and special events for all seasons, using the seasonal climate changes as an advantage to offer a diversity of options;
- Referencing and interpreting Buffalo’s historic waterfront and the Erie Canal;
- Emphasizing the pedestrian experience, while offering parking that is convenient, easy to access, and does not dominate views or land use; and
- Incorporating appropriate details during Project phasing, so the Project feels complete from the beginning, despite a multi-year schedule.

The Design Guidelines are implemented through a review procedure by the ECHDC Board of Directors (“Board”) with the help of the Canalside Design Committee (“Design Committee”). Design Committee members are knowledgeable in matters pertaining to architectural and landscape design, site planning and historical context as it relates to Canalside. The Board refers site plans for each proposed development within Canalside to the Design Committee for its evaluation and recommendation. The Board considers the Design Committee’s recommendation prior to the approval or disapproval of any proposed development in Canalside and may consult with the Design Committee on any issues related to design or planning within Canalside.

The Canalside Design Guidelines are being revised under this MGPP to reflect additional architectural features that could be incorporated into the North Aud Block development, as well as to clarify the submission schedule for development projects.

See **Exhibit B** for the current Canalside Design Guidelines.

- b) **Public Space** - At full build out, the Project will include expanded and enhanced publicly accessible space and recreational opportunities in and adjacent to the Project Area. In addition to the Great Lawn established in 2008, several other opportunities have already been completed. The Main Canal and the East Canal, provide year-round activation uses from boating to ice skating, paddling to curling and are crossed by bridges linking historic streets and are lined with expansive towpaths providing a unique setting for pop-ups, outdoor cafés and shops.

The Central Wharf wooden boardwalk was extended to Main Street connecting the Project Area to the Buffalo River and Empire Trail networks, while providing for direct pedestrian access to the future light rail rapid transit station in the DL&W Terminal. Additional trail signage and amenities

were included to mark the Erie County Shoreline Trail and Empire State Trail. The Skyway Plaza, located in the space underneath the Skyway (E8 - E11) stretching from the Buffalo River to the Commercial Slip parcel, has been grassed and dedicated to annual seasonal events, programs and artistic expressions.

Still, opportunities remain to further expand the public realm, with the Prime Slip being evoked through a pedestrian pathway over its former alignment, eventually linking the Central Wharf with the Main Canal. It will maintain pedestrian opportunities for exploring the Project area and will continue to be envisioned as part of a public interpretative corridor to be utilized to educate the public on aspects of the Prime Slip. The first phase of the Prime Slip will be completed under the Heritage Point development project with subsequent sections completed under future development of the Erie Canal Harbor development block.

- c) Sustainability - Strategies for integrating sustainability concepts into the Project were presented in a Sustainability Report that was included with the Draft Generic Environmental Impact Statement (“DGEIS”) for the Project pursuant to the requirements of the State Environmental Quality Review Act (SEQRA). To implement the ideas explored in the Sustainability Report and in response to public comments received on the DGEIS regarding sustainability, ECHDC will require that all Project buildings become LEED® certified, with a goal of achieving a LEED® Silver rating. LEED® (Leadership in Energy and Environmental Design) certification provides independent, third-party verification that a building project meets the highest green building and performance measures. LEED®-certified buildings are designed to lower operating costs, reduce waste sent to landfills, conserve energy and water, be healthier and safer for occupants and reduce harmful greenhouse gas emissions. These benefits are achieved by incorporating certain design, mechanical, and structural features into a building. These features are quantified as credits, and the more credits a project has, the higher the LEED® rating. These measures will help to reduce the Project’s impact on Buffalo’s combined sewer system, particularly concerns about sewer overflow, demand on utility infrastructure and impact to water resources, in addition to improving the quality of the Canalside experience for those living and working at Canalside.
- d) Parking Program – Parking in the Project Area will be consolidated within several parking garages, a few small surface lots and a limited number of on-street parking spaces. New parking garages have been constructed north of One Canalside (Parcel D1) and within the Harborcenter development (Parcel W1), while others are planned on the North Aud Block (Parcel A1) and the Commercial Slip Block (Parcel C2). It is expected that nearly 2,450 parking spaces will be consolidated in these four parking garages – or nearly 94% of the 2,600 total parking spaces required for the Project.

Approximately 132 spaces will be provided at off-street surface parking lots, including four reconstructed lots on Parcels C2, T1, and T3. Remaining spaces are planned for Parcel T2. These surface lots are all beneath highway overpasses (i.e., NY Route 5 and I-190) and do not allow for parking structures or buildings to be constructed.

Approximately 100 on-street parking spaces are also available along Lloyd Street, Prime Street, Hanover Street, Main Street, Commercial/Pearl Street and Perry Boulevard.

DEVELOPMENT BLOCKS

a) Completed (thru 2020)

Parcel D1 – In 2011, Benderson Development and Harbor Development, LLC opened One Canalside on 1.4-acres, the first private development in the district. The reuse of the former Donovan Building into a mixed-use project including a restaurant, office space, hotel and residential, along with a parking structure facing the Thruway, was designed to front both Main Street and the East Canal.

Parcel D3 – In 2014, the ECHDC opened the East Canal on the 0.45-acre middle portion of the Donovan Block. The East Canal and adjacent towpaths are considered recreations of the former Main & Hamburg Canal that was located on this development block and remain publicly accessible.

Parcel A3 – In 2014, the ECHDC opened the Main Canal on the 1.81-acre middle portion of the Aud Block. The Main Canal and adjacent towpaths, along with several bridges and “emigrant steps”, are considered recreations of the former Erie Canal, Hamburg & Main Canal and Commercial Slip and iconic elements that were located on this development block. The water features, approximately 18 inches deep, were constructed to avoid impacting operation and maintenance of the Hamburg Drain, while material finishes were selected to enhance the appearance of depth and provide greater reflectivity at the water surface.

This public space provides a venue to experience the history of the site, tell the “Story of Buffalo”, and celebrate the community throughout the year. While several “barges” are planned to be “anchored” in the canals, anticipated summertime uses will include paddle boats and/or row boats for rent while during winter months, the water feature will be drained for ice skating, curling, and other seasonal opportunities.

In 2019, the Ralph C. Wilson Jr., Explore-n-More Children’s Museum opened in a 35,000 GSF building on a portion of the “South Aud Block”. The ECHDC-owned facility has a 0.21-acre footprint and consists of a restaurant on the towpath level, with three floors of museum exhibits above. The street level also includes a retail store along Marine Drive. Formerly referred to as “Parcel A2.1/A2.4”, the Children’s Museum is now part of Parcel A3.

Parcel W1 – This 1.7-acre parcel is bounded by Scott Street, Washington Street, Perry Street and Seymour H. Knox III Plaza. The HARBORCenter was constructed on this block, the two westernmost lanes of Washington Street and over Perry Street, and opened in 2014. The mixed-use complex is a sixteen story, nearly 614,000 GSF building with two hockey rinks, hotel, retail and restaurants, and a five-level, 965-space parking structure.

Parcel T2 – This parcel bounded by Main Street, Exchange Street, Washington Street and the railroad. This surface lot was reconstructed in 2020 as part of the Buffalo Train Station project. It is anticipated that the New York State Thruway Authority will continue to own the property and manage its usage through a third-party vendor (i.e., developers, parking companies, others).

b) Underway (2021 – 2025)

Parcel E1 - in 2021, the ECHDC opened the Buffalo Heritage Carousel on an 0.20-acre site along the south end of the Central Wharf, bookending the Great Lawn with permanent cultural facilities that anchor the public space.

Parcel C2.1 - is owned by the NYSDOT, with ECHDC holding the Use & Occupancy Permit, and provides surface parking for Canalside. This surface lot is currently under construction and will be completed in early 2022.

Parcel T3 is owned by the NYSDOT, with ECHDC holding the Use & Occupancy Permit, and provides surface parking for Canalside. This surface lot is currently under construction and will be completed in early 2022.

Parcels A2 – In 2021, Sinatra & Company Real Estate broke ground on Heritage Point, a 104,000 GSF two-building development on the remaining portion of the “South Aud Block”. This private development has a combined 0.49-acre footprint and consists of towpath/street level restaurants and shops, office space and 64 residential units on the upper four floors. The ECHDC contributed funding to the sitework capital improvements, including the Prime Slip, Lloyd Street and Canal Street, which are now considered part of Parcel A3 and remain publicly accessible. Heritage Point is expected to open in 2023.

Parcel D2 – The last remaining parcel on this development block at 0.34-acres, Benderson Development has begun planning and design of the future mixed-use building, which is likely to include some combination of retail/restaurant, office, hotel and/or residential. This parcel is currently under design and is expected to break ground in 2023.

Parcel A1 – Also referred to as the “North Aud Block”, this vacant, nearly 2-acre parcel would include retail, restaurants, office space, residential units, hotel uses and structured parking within several buildings that acknowledge portions of the 19th century street grid while allowing for the site to blend into the current 21st century surroundings and infrastructure. The assumed development plan for Parcel A1 includes nearly 425,000 GSF in several buildings with an estimated 200 residential units, commercial and retail spaces, office/operations space for ECHDC, and up to 450 parking spaces located in a structured ramp that would be constructed both below and above grade.

See **Exhibit C** for “North Aud Block” renderings.

c) Future (2026 – 2031)

Erie Canal Harbor – This nearly 6-acre parcel, bounded by Marine Drive, Main Street, the Buffalo River and the Commercial Slip, was originally redeveloped by ESD under Phases 1 and 2 of the 2004 Erie Canal Harbor Master Plan and opened to the public in 2008. The City of Buffalo reconstructed the former cobblestone streets, including Lloyd, Hanover, Prime and West Perry in 2011, while the ECHDC extended the Central Wharf wooden boardwalk and transient docks, and added Clinton’s Dish restaurant in 2012. In 2020, the ECHDC opened the Longshed on an 0.23-acre site along the north end of the Central Wharf that it purchased from the City of Buffalo.

Parcels E1 thru E7 - The Prime Slip Parcels, owned by the City of Buffalo, are expected to be developed by a private developer(s) to accommodate a mix of uses. Small-scale shops, community gathering spaces, cultural institutions, and restaurants will fill the ground floors in this area while offices and residential units will occur on the upper floors. On the parcels between Lloyd and Hanover Streets, ground floor uses will also “front” the Prime Slip walkway.

Skyway Plaza (Parcels E8 thru E11) – Stretching from the Commercial Slip Garage to the terminus of Seymour H. Knox III Plaza (a.k.a. Main Street), the Skyway Plaza will utilize the cover of the Skyway deck to provide a year-round place for vendors to sell goods and produce at seasonal kiosks. NYSDOT has been and will continue to be consulted with respect to all uses and improvements under the Skyway.

Commercial Slip Block – This block is located at the juncture of Marine Drive, Commercial Street and Perry Boulevard and includes Parcels C1 and C2. At that corner, fronting on Marine Drive and Commercial Street, will be a development parcel with a retail base, and a variety of potential uses above including office, hotel, and/or residential. Behind the building will be the Commercial Slip Parking Garage situated over private surface parking for residents of the Marine Drive Apartments.

Parcel C1 - is owned by the Buffalo Municipal Housing Authority (“BMHA”). In 2020, the BMHA selected a development partner to conduct an asset repositioning and redevelopment study of several properties, including the Marine Drive Apartments. The study recommendations may affect the current Commercial Slip Block development plan. If necessary, any modifications would be addressed in a subsequent MGPP.

Parcel C2.2 - is owned by the Buffalo Municipal Housing Authority (“BMHA”). In 2020, the BMHA selected a development partner to conduct an asset repositioning and redevelopment study of several properties, including the Marine Drive Apartments. The study recommendations may affect the current Commercial Slip Block development plan. If necessary, any modifications would be addressed in a subsequent MGPP.

“Under-Thruway” Blocks - underneath the Thruway at the northern-most end of the Project Area is Parcel T1 along Main Street that will provide opportunities for additional parking. It is anticipated that the New York State Thruway Authority will continue to own the property and manage its usage through third parties (i.e., developers, parking companies, others).

E. LONGSHED

Although the Longshed Project site is not within the project area governed by the Canalside Land Use Improvement Project’s General Project Plan, Design Guidelines or review process, the site is within the 2004 Erie Canal Harbor Master Plan area. Therefore, the ECHDC designed the Longshed in a manner to be generally consistent with the purpose and intent of the Canalside Design Guidelines. The Longshed (i.e., the “Canalside Interpretive Structures”) General Project Plan was adopted by the ECHDC Board of Directors on December 11, 2017 and became effective on January 4, 2018.

The Longshed, with an approximate 5,000 sf perimeter footprint, is a timber-framed, wooden structure that recalls the historic 19th-century building that once stood on the site. Located at the historic corner connecting the Commercial Slip to the Central Wharf, it will further highlight the interpretation of the Erie Canal terminus. The Longshed strengthens Canalside’s year-round attractiveness and allows for a variety of programming, public and private events, and provides vending space for future retail and/or restaurants with dramatic waterfront views. The Longshed, located at the north end (and the Carousel at the south end) of the Central Wharf bookend the Great Lawn with permanent facilities that anchor the public space, opened in September 2020.

F. ADJACENT PROJECTS

Several adjacent projects, being undertaken by other federal, State and local agencies and/or municipalities, are at various stages of design and evaluation. While these projects are not actions that are considered a part of this GPP (i.e., the GPPs proposed components could be implemented whether or not these other projects are completed); nevertheless, the Canalside plan includes ECHDC’s latest understanding of these adjacent projects for planning and coordination purposes.

- 1) Buffalo Train Station - The New York State Department of Transportation awarded a \$27.7 million design-build contract for the construction of the Amtrak Station in December of 2018 and the new station opened in December 2020. The Exchange Street Station is twice the size of the city's previous rail station and provides travelers with a convenient and intermodal gateway to Buffalo's bustling downtown with easy connections to local bus and light rail service. The new station will promote economic activity and tourism for the entire Western New York region and further Buffalo's continued resurgence by making it easier to visit the area's many attractions. The structure was also designed

to accommodate the future expansion of intercity bus service and additional train routes, creating a truly intermodal transit center for downtown Buffalo.

The new station was woven into Buffalo's urban fabric, with improved connectivity to the city's light rail system - via a new covered pedestrian plaza - and increased accommodation for vehicles, pedestrians and bicyclists. With its larger size and modern design, it offers additional seating, more parking, a designated drop off and pickup area, and a redesigned platform to make it easier and safer for passengers to board and depart trains. The new station has a capacity of more than 40 seats and the image of a Buffalo is featured at the center of its Terrazzo floor. The previous station's low-level platform was replaced by a new, longer, train-level platform for easier boarding. It also features new lighting and a canopy. Energy efficient and environmentally friendly materials were used in the new station's construction and the facility is compliant with the Americans with Disabilities Act.

The sponsors for this project completed a Final Design Report and Environmental Assessment under SEQRA and published the Notice of Environmental Determination on July 13, 2018. This project reconstructed Parcel T2 as described in Section D above.

- 2) Main Street Multi-Modal Access and Revitalization Project (i.e., "Cars Sharing Main Street") - The City, NFTA, NYSDOT and Buffalo Place, Inc. are completing a \$20 million reconstruction of a 1.2-mile-portion of Main Street, between Tupper Street and Scott Street/Marine Drive, to vehicular traffic as part of a strategy to improve downtown access and support revitalization efforts for Buffalo's downtown core. Main Street in downtown Buffalo was closed to vehicular traffic with the completion of the Metro Rail system and pedestrian/transit mall in 1984. After several years of study and consultation with numerous stakeholders and interested parties, the concept of sharing the Metro Rail track bed with vehicles between Tupper Street and Scott Street/Marine Drive emerged as the preferred design solution.

The sponsors for this project have completed an Environmental Assessment under NEPA and published the Notice of Completion in March 2009. FTA, as federal lead agency for this project, issued a Finding of No Significant Impact in October 2009. Final designs for each segment of the 1.2-mile-portion of Main Street affected by this project have commenced. While the two projects must relate well together, the Cars on Main Project and Canalside Project are independent projects being undertaken by different entities. Thus, it is appropriate that these projects be evaluated through separate channels and the Cars on Main Project is not an action that is a part of this MGPP. Nevertheless, Project maps include ECHDC's latest understanding of the proposed design for the Cars on Main Project through the Project Area.

The reconstruction of Main Street, from Tupper Street and Scott Street/Marine Drive, began in 2019 and is expected to be complete in 2022.

- 3) Buffalo & Erie County Naval & Military Park – The Buffalo and Erie County Naval and Military Park is currently underway with Phase 1 of its \$3 million expansion project. The project will be done in three

phases starting with the existing hanger building which will be turned into a four-season operational building. A second 20,000 square foot L-shaped building will be constructed next to it. When the buildings are finished, they will house the park's admissions and gift shop, exhibits, office space and room for parties. The Naval Park Expansion Project and Canalside Project are independent projects being undertaken by different entities. Thus, it is appropriate that these projects be evaluated through separate channels and the Naval Park Expansion Project is not an action that is a part of this MGPP. Phase 1 is expected to be completed in early 2022.

- 4) DL&W Station - This project will reuse and reactivate the former Delaware, Lackawanna and Western (DL&W) Trainshed in the Cobblestone/Canalside districts of the city, which now serves as the NFTA-Metro Rail yard and shop facility. The trainshed will be a new commercial activity center on the Buffalo Waterfront and a new Metro Rail station enhancing public access to some of the region's most popular attractions in the Canalside and Cobblestone districts, which have transformed from blighted landscapes into premier waterfront destinations over the past decade. As part of the Cars Sharing Main Street Project, the current Special Events Station would be decommissioned. Phases 1 and 2 of this Project will extend Metro Rail revenue service from the current terminus at Special Events Station into the DL&W Trainshed where a new Metro Rail Station will be built. A third phase of the project will make improvements to the core and shell of the DL&W Trainshed and any leasehold improvements necessary for private sector activity in the Trainshed other than the ingress and egress needed for public access to DL&W Station. The DL&W Station Project and Canalside Project are independent projects being undertaken by different entities. Thus, it is appropriate that these projects be evaluated through separate channels and the DL&W Station Project is not an action that is a part of this MGPP. A \$20 million Phase 1 project to reconstruct trackwork at the foot of Main Street is underway and expected to be completed in 2022.
- 5) The Buffalo Skyway (NYS Route 5) Project - The New York State Department of Transportation ("NYSDOT"), in cooperation with the Federal Highway Administration ("FHWA"), is currently preparing an Environmental Impact Statement ("EIS") for the Buffalo Skyway Project.

The purpose of the Project is to remove the Buffalo Skyway, a high-level bridge and expressway system connecting I-190 and downtown Buffalo to the Outer Harbor and the City's southern suburbs, to support existing and planned recreational, mixed-use, and waterfront development in the Buffalo Outer Harbor area. The project will also address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

The EIS process began with the publication of a Notice of Intent in the Federal Register on December 20, 2019. The NYSDOT held three public scoping meeting sessions on January 28th and 29th, 2020. The 30-day public scoping comment period began on January 28, 2020 and ended on February 28, 2020. The EIS process is currently on pause and not expected to advance in the near-term.

- 6) Commercial/Pearl Street – Previously included in the 2013 MGPP as a combination of City street and off-street infrastructure improvements, the ECHDC Board approved the reconstruction of the off-street parking lot improvements in June 2021. The work is expected to be completed in early 2022.

Any reconstruction of City streets within Canalside, including Commercial/Pearl, Perry Boulevard, Marine Drive, Scott Street and/or the various cobblestone streets within the Erie Canal Harbor Parcel, would be completed by the City of Buffalo. While the projects must relate well together, any City street improvements and the Canalside Project are independent projects being undertaken by different entities. Thus, it is appropriate that any City street reconstruction projects be evaluated through separate channels and these potential street reconstructions are no longer considered actions as part of this MGPP.

G. PROJECT SITE OWNERSHIP

The Project Area is currently owned by various State and local governmental agencies including ECHDC, the New York State Thruway Authority, the New York State Department of Transportation, the City of Buffalo, the Buffalo Municipal Housing Authority and the Buffalo Sewer Authority, as well as several private landholders. Refer to **Table 1** for ownership of individual development parcels.

It is anticipated that ECHDC will acquire control of Parcel D2 within the Project Area through direct acquisition to complete the Project. It is also anticipated that ECHDC and the City will transfer property between the Commercial/Pearl Street right-of-way and Parcels A1 and A3 in order to maximize development of the Aud Block while ensuring the integrity of the City's street network.

The City will continue to own all public rights-of-way and will complete the street right-of-way process for Lloyd Street, Prime Street, Hanover Street and New Perry Street, while also memorializing the Prime Slip utility right-of-way between Marine Drive and Prime Street.

ECHDC and the City will convey, or lease with an option to purchase at nominal consideration, on a parcel by parcel basis, all parcels designated for office, retail, hotel, residential, or cultural development to a private developer(s) which shall be obligated to complete the applicable development for such parcel as set forth herein. Prior to the conveyance of any property, private developer(s) shall be required to provide ECHDC or the City with an acceptable financing plan for the applicable parcel and, prior to the commencement of construction, a completion guaranty in form reasonably acceptable to ECHDC or the City. Upon completion, each development entity will be obligated to pay real property taxes and/or make payments-in-lieu-of-taxes. Each development entity will also be obligated to make common area maintenance charges to ECHDC on an equitable basis with other development entities within the Project Area.

NYSDOT will be consulted and any necessary approvals obtained with respect to all uses and improvements under the Skyway.

H. PROJECT SCHEDULE

Construction of Canalside's public space, including the historic canal system on the Aud Block and the Donovan Block, and the extension of the Central Wharf to Main Street, as well as several cultural attractions are complete. Several cobblestone streets have been completed with an extension of Lloyd Street and a section of Canal Street underway on the South Aud Block.

The Prime Slip walkway is underway on the South Aud Block while it still needs to be completed within the Erie Canal Harbor parcels.

Private development is complete on the Webster Block and the northern portion of the Donovan Block, while its underway on the South Aud Block.

Further development on the North Aud Block, the southern portion of the Donovan Block, the Commercial Slip Block, and the Erie Canal Harbor parcels within the Project Area will commence as plans are developed and approved. The entire Project is expected to be built out by 2031.

I. PROJECT FUNDING

The total project investment is currently estimated at more than \$700 million. Funding Sources and Uses for the various phases of development are set forth below:

- 1) Capital Construction - Funding Uses and Sources are set forth below:

Funding Uses

Table 3

| Funding Uses | Completed (thru 2020) | Underway (2021 – 2025) | Future ⁽³⁾ (2026 – 2031) |
|----------------------------------|----------------------------------|-----------------------------------|--|
| Public Investment | | | |
| Planning & Design ⁽¹⁾ | \$19,903,017 | \$8,218,886 | \$1,672,906 |
| Construction ⁽²⁾ | \$68,939,823 | \$26,230,000 | \$12,250,000 |
| Private Investment | \$242,860,000 | \$197,473,639 | \$130,405,000 |
| Investment by Phase | \$331,702,840 | \$231,922,525 | \$144,327,906 |
| Total Project Investment | \$707,953,271 | | |

Notes:

¹ Includes all soft costs (i.e., Real Estate, Fees, Insurance, Legal, SEQRA, etc.)

² Includes Construction Management, Environmental Remediation, and Demolition costs

³ Future investments may require additional modification(s) of the General Project Plan

Funding Sources

Table 4

| Funding Sources | Completed (thru 2020) | Underway (2021 – 2025) | Future (2026 – 2031) |
|---------------------------------|----------------------------------|-----------------------------------|---------------------------------|
| Public | | | |
| New York Power Authority | \$48,842,840 | \$24,448,886 | \$13,922,906 |
| New York State | \$33,000,000 | \$10,000,000 | -- |
| Erie County | \$7,000,000 | -- | -- |
| Private | \$242,860,000 | \$197,473,639 | \$130,405,000 |
| Investment by Phase | \$331,702,840 | \$231,922,525 | \$144,327,906 |
| Total Project Investment | \$707,953,271 | | |

- 2) Operations and Maintenance - The Operations and Maintenance budget for the full build out of Canalside is currently estimated to be **\$1,300,000** annual expenditure for administration, security, maintenance and repairs, utilities, and insurance. The payment for the Operations and Maintenance will come from multiple sources: 1) Common Area Maintenance charges; 2) Events & Concessions revenue; and 3) other available sources (i.e., NYPA funds).

To offset the costs of operating and maintaining the ECHDC's public infrastructure and facilities, the administration, security, maintenance and repairs, utilities, and insurance costs will be charged to the tenants at Canalside via Common Area Maintenance ("CAM") charges. The CAM charges will be based on the square-footage of the tenant's space. Until the Canalside development is fully built out and ECHDC receives CAM payments that equal the O&M budget, the cost to operate and maintain the public infrastructure will be funded by Events & Concessions revenue and other available sources.

The Operations and Maintenance program will directly cover the ECHDC-owned replica public canals and their related towpaths, ramps/stairs, bridges, fountains, sub-basement/ice rink equipment, mechanical/electrical/plumbing, lighting, and the ECHDC-owned buildings on Parcels A1, A2.1/A2.4, A3, and D2, as well as the Longshed. ECHDC estimates the Canalside Project will require the services of 8 full-time employees that will comprise of administration staff, maintenance labor, and security personnel. The maintenance program will consist of, but not be limited to, the following: refuse removal and recycling, sweeping, snow plowing and removal, storm drainage system maintenance, landscaping and pest control, inspections, permits, cleaning services, materials and supplies, equipment maintenance and repairs, general facilities maintenance and repairs, light poles and lamps, vandalism, and public space maintenance and repairs.

The Operations and Maintenance budget estimates are based on the previous eight years of Canalside expenses.

J. ECONOMIC IMPACT

As part of the adoption of this MGPP, ESD has performed an independent economic analysis of the Project and has projected that the Project would have the following beneficial economic impacts over a 23-year period:

- (i) Construction of the Project (based on a construction cost of \$708 million) will generate 3,174 new direct jobs and 5,037 total jobs (direct, indirect and induced);
- (ii) Total personal income earned by direct, indirect, and induced construction-related activities is estimated to be \$231 million in the WNY region and \$236 million in New York State (inclusive of Western New York);
- (iii) Total construction employment will generate \$16.6 million in local tax revenues and \$17.0 million in state revenues;

- (iv) Based on a completed build-out of the Project, once fully operational, it is projected that the Project will support over 1,800 new jobs in the WNY region (direct, indirect and induced) and generate over \$2 billion in personal income.

Since its opening, Canalside has also contributed nearly \$3 million to Buffalo Place via Special District Service Charges to support the Downtown Pedestrian Transit Mall.

K. LAND USE IMPROVEMENT PROJECT FINDINGS

The primary purposes of ESD's participation in the Project are (i) to transform an area of Buffalo's urban core that is blighted and underutilized into a vibrant, transit-oriented, mixed-use development with appropriate density along the City's waterfront; (ii) to provide a mixed-use setting for year-round activities and unique experiences that will attract visitors and generate economic growth in an area that has been underutilized for decades; (iii) to generate additional economic activity and City and State tax revenues; (iv) to supply amenities, housing and cultural facilities for the creation of an urban neighborhood oriented to the waterfront and canal features; and (v) to provide publicly accessible open space and recreational opportunities.

Specifically, in the GPP, ESD, pursuant to Section 10 of the UDC Act, made the findings set forth below. These findings are supported and complemented by the findings, determinations and statements of fact described in the Draft Generic Environmental Impact Statement ("DGEIS") for the Project.

Land Use Improvement Project Findings

1. That the area in which the project is to be located is a substandard or unsanitary area, or is in danger of becoming a substandard or unsanitary area and tends to impair or arrest the sound growth and development of the municipality.

The Project Area consists mainly of vacant parcels and surface parking lots, including the former site of the Memorial Auditorium which was recently demolished and the Donovan Building, an obsolete office building vacated by the New York State Office of General Services. Photographs of several Project Area view sheds demonstrate the poor visual quality of the Project Area. See **Exhibit D**. These photographs depict space that is desolate and lacking in human activity, natural features, publicly accessible open space or facilities providing public amenities or services. Views are dominated by the Skyway and ramp from the Skyway to the Thruway south along with the piers associated with both. Also, wide streets and a lack of pavement markings along with deteriorating sidewalks add to an unkept and unwelcoming pedestrian environment.

During the public hearing for the GPP, one commentator suggested that the substandard and unsanitary nature of the Project Area was caused by ESD when it demolished the Memorial Auditorium. The Memorial Auditorium has been vacant since 1996. The vacant building had not generated any revenue nor provided any benefit to the tax base in over a decade. Multiple attempts were made and several

studies were completed during the 13-year period while the building sat vacant in an attempt to identify potential reuses, but ultimately no feasible reuse alternatives were identified. The area became substandard once the Memorial Auditorium was vacated and no achievable re-use options were identified. The lack of activity and use over the last 13 years only continued to impair the sound growth and development of the municipality until it was removed.

At the time the GPP was adopted, there was relatively no economic activity derived from the Project Area, exclusive of surface parking, notwithstanding that the Project Area is strategically located along the waterfront in downtown Buffalo. While the waterfront exists just a short walk from the Project Area, accessing the waterfront can be difficult, and few opportunities exist for entertainment, dining, shopping, or recreation.

Neighboring land uses, while to some extent generating activity, are limited in their contribution to the creation of a vibrant urban neighborhood, and generally do not provide year-round activities and amenities. For example, the HSBC Arena and the Coca-Cola Field generate considerable activity, but only during certain times of the year and typically for a short period of time on those days when there is activity. While these facilities are major traffic generators during events, they do not draw virtually any activity to the Project Area on non-event days. Consequently, the Project Area is generally lively during events, particularly at the more proximate HSBC Arena, but is largely deserted other evenings. Even with the pedestrian traffic generated during HSBC Arena events, there are few destinations for visitors to visit. During non-event times, pedestrian traffic is especially absent in the Project Area. The only limited exception to this is the Erie Canal Harbor with its re-created Commercial Slip which now draws visitors to this portion of downtown, but is generally a seasonal attraction and has had limited event programming. There are few attractions adjacent to the Commercial Slip to allow visitors to remain in the area for a significant length of time. In addition, traversing the Project Area is difficult at many locations as sidewalks and crosswalk markings have not been maintained. Due to the desolate atmosphere of the area, drivers may not anticipate pedestrian activity, creating a more challenging and less safe walking environment.

Therefore, the environment of the Project Area hinders growth and development of the City and is detrimental to the City's goals of creating events and activities to increase public enjoyment and access to the waterfront, as articulated in the City of Buffalo Comprehensive Plan. The City's Waterfront Corridor Initiative also states as key initiatives improving accessibility to the waterfront, reconnecting neighborhoods to the waterfront and realizing the best possible use from waterfront parcels. Additionally, the 2004 Master Plan and Waterfront Redevelopment Project Urban Renewal Plan were detailed plans for development within the Project Area, which ECHDC has utilized in developing the Project. The Project is needed to implement these policies and contribute to economic growth within the City.

2. That the project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.

This MGPP proposes redevelopment of the Project Area with the development of public infrastructure with the current and future phases of residential, commercial and retail developments. The enhanced uses generated by the Project will attract people to the Project Area and will, accordingly, help support local businesses. The Project will also generate substantial tax revenues for the City and the State as described herein. It is expected that the Project will convert a long vacant and underutilized area into a dynamic retail and residential community with substantial public spaces and regular public events along the waterfront. It is expected that the Project developments will serve as a catalyst for additional development in the neighboring environs.

3. That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

Although the Project includes substantial public improvements and the creation of numerous open spaces and public amenities, the plan specifically provides for a substantial amount of private development in current and future phases of the Project consistent with the overall plan for the development of the Buffalo waterfront.

4. That there is a feasible method for the relocation of families and individuals displaced from the project area into decent, safe and sanitary dwellings, which are or will be provided in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

No families or individuals will be displaced as a result of the Project.

L. NON-DISCRIMINATION & CONTRACTOR AND SUPPLIER DIVERSITY

In compliance with NYS Executive Law Section 15-A, ESD will administer and enforce an affirmative action program for the construction of the Project. ECHDC and any private developer(s) will each agree to make a good faith effort to utilize minority and women business enterprises (“M/WBE’s”) in the construction of the Project and will ensure that minorities and women are adequately represented in the construction workforce for the Project.

M. OVERRIDE OF LOCAL REQUIREMENTS

In the GPP, ESD overrode certain local regulations pursuant to the UDC Act. These overrides will permit a development more reflective of and consistent with, land use policy envisioned for the City waterfront and will include an override of the City zoning ordinance and will eliminate any need to amend the land use provisions contained in the Waterfront Urban Renewal Plan. With regard to this action and

undertaking the Project, the City was consulted throughout the planning process and has provided significant input into Project design.

The City supported the exercise of ESD's statutory powers to facilitate the Project on the following terms:

1. The canal system, Aud Block, Donovan Block, Webster Block, Erie Canal Harbor Parcels, and Commercial Slip Block described above will be included in the MGPP as approved by the ESD. Also the components will be developed pursuant to the Design Guidelines.
2. ECHDC will include all relevant City departments, agencies and boards including the Common Council, the Control Board and the Planning Board in the review process during the State Environmental Quality Review Act ("SEQRA") review period.
3. At the conclusion of the SEQRA process, ESD and ECHDC will work with the City to seek necessary approvals for the initial build-out of the Canalside Project which will include the Aud Block development, Donovan Block, Webster Block, public infrastructure within the Project's 20+/- acres and the Commercial Slip Parking Garage. Specifically, this phase will be presented to the Common Council in conjunction with the disposition of City properties to ECHDC in furtherance of the Project. In addition, this phase will be presented to the Planning Board to review consistency with the MGPP and the Design Guidelines which will be incorporated into the MGPP.
4. Subsequent build-out of the remainder of the Canalside Project, which generally will incorporate all or parts of the Historic District as outlined in the 2004 ECHMP, will similarly be presented to the Common Council and the Planning Board.
5. In the event that there are any proposed changes to the MGPP after its initial approval, ESD will consult and seek input from pertinent City entities.

N. ENVIRONMENTAL REVIEW PROCESS

ESD, as lead agency, completed an environmental review of the Canalside Project, pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation. This review, which was coordinated with all involved agencies due to the Project's Type I classification, involved a full public scoping process and the preparation of a draft generic environmental impact statement ("DGEIS") and a final generic environmental impact statement ("FGEIS"). The ESD Board of Directors issued SEQRA findings for the Project on March 26, 2010. The 2010 SEQRA documents included a full assessment of a Preferred Alternative that involved the anticipated level of development that was presented in the original 2010 GPP for Canalside (i.e., inclusive of a proposed Bass Pro store on the Aud block). In accordance with SEQRA regulations and the thresholds set forth in the FGEIS, to date ESD has evaluated the potential environmental effects of four prior MGPPs for the Project:

- In October 2010, largely associated with the elimination of the proposed Bass Pro store on the Aud Block, for which after an evaluation of the change the Directors concluded no additional SEQRA documentation was required; and
- In November 2012, largely associated with increases in the anticipated scale/density of development on the Webster Block that was part of the proposed HARBORcenter project, for which after the preparation of a full SEQRA environmental assessment form (EAF) and supporting analyses, the Directors concluded that these variations would not result in significant adverse impacts on the environment beyond what was already documented in the 2010 SEQRA documents for the Canalside Project and made a Determination of No Significant Effect on the Environment; and
- In November 2013, largely associated with an ECHDC-driven development on the South Aud Block including the Children’s Museum, for which after an evaluation of the change the Directors concluded no additional SEQRA documentation was required; and
- In September 2018, largely associated with a revised Children’s Museum and the privately-lead Heritage Point development on the South Aud Block, for which after an evaluation of the change the Directors concluded no additional SEQRA documentation was required.

Accordingly, ESD staff have also conducted an evaluation of potential effects of this MGPP against those effects documented in 2010 SEQRA documents as amended. This evaluation determined that the assessments and proposed mitigation contained in this documentation would still adequately address any projected impacts of development under this MGPP.

Therefore, no further environmental review is required in connection with this action.

O. STAKEHOLDER/PUBLIC INVOLVEMENT ACTIVITIES

Formulation of the North Aud Block development program on Parcel A1, as described in this MGPP, was developed in the context of a robust process of stakeholder and public involvement that included a series of individual meetings, work sessions, and public workshops/information meetings. This is all culminated by the official Public Hearing or public comment period that will be authorized upon the adoption of this MGPP. **Exhibit E** summarizes the stakeholder and public involvement efforts conducted for the Project.

P. CONCLUSION

This Land Use Improvement Project will redevelop a historically vacant, underutilized and substandard area with a mixed-use project that provides for retail, restaurants, residences, hotels, cultural space, commercial development and publicly accessible open spaces that are needed to reconnect the City to its waterfront and create economic opportunities. This General Project Plan adopts a comprehensive vision that will eliminate the blighted and underutilized condition of the Project Area and create new, thoughtful and unique spaces that will provide connectivity with adjacent attractions, foster neighborhood characteristics and encourage a hub of activity at the City’s waterfront.

ATTACHMENTS

EXHIBIT A – Parcel Plan

EXHIBIT B – Canalside Design Guidelines (Revised December 13, 2021)

EXHIBIT C – North Aud Block Renderings

EXHIBIT D – Project Area Photographs

EXHIBIT E – Summary of Stakeholder/Public Involvement

EXHIBIT A – Parcel Plan



EXHIBIT A: PARCEL PLAN

EXHIBIT B – Canalside Design Guidelines (Revised December 13, 2021)

Canalside Design Guidelines

Issued by:

Erie Canal Harbor Development Corporation

A subsidiary of the New York State Urban Development Corporation d/b/a
Empire State Development

95 Perry Street- Suite 500
Buffalo, NY 14203-3030

Prepared by:

Ehrenkrantz, Eckstut & Kuhn Architects
July 2009

Revised March 2010
Revised December 13, 2021

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1. Introduction

Canalside (the “Project”) is a new mixed-use neighborhood that will reconnect Downtown Buffalo to the Lake Erie waterfront through a network of streets, canals, and public spaces, evoking the City’s history, while creating a timeless neighborhood that will help define its future. With approximately 1.1 million square feet of development, including retail, restaurant, hotel, office, cultural, and residential uses, Canalside is made up of 23 development parcels within approximately 20 acres on the Buffalo Riverfront (“Project Area”). The Project offers urban amenities and year-round offerings and experiences, including restaurants, entertainment venues, retail outlets, cultural attractions, public spaces, and increased access to the Buffalo River.

The proposed Canalside Site Plan (“Site Plan”, see Exhibit 1) includes projects completed to date and the conceptual design for the mixed-use project within the North Aud Block site completed in 2019. These Canalside Design Guidelines (“Guidelines”) apply to all development parcels within Canalside. Unless otherwise noted, the Guidelines apply to all blocks within the Canalside project area (see Exhibit 2 for the boundaries of those blocks). These Guidelines take as their foundation, both in terms of intent and detail, the guidelines approved as part of the 2005 Erie Canal Harbor Amendment to the Urban Renewal Plan for the Waterfront Redevelopment Project. The guidelines established in that document are preserved to the maximum extent possible, especially where concerning the Erie Canal Harbor Parcels (see Section 9). As the scope, program, and type of the proposed project has evolved and expanded since the 2004 Erie Canal Harbor Project Master Plan, some elements of that project’s associated guidelines have been revised.

The emphasis of the Guidelines is on the public spaces. The goals of the Guidelines are to provide high quality, attractive and active spaces that employ contemporary techniques but connect to the unique history of the site and Buffalo as a whole. To this end, the Guidelines are focused on the impact of buildings on the public environment. These Guidelines seek to create spaces, not projects. The goal is to create an ever-changing, lively atmosphere and visual appeal throughout (this is not a traditional business or residential district). The focus is on the pedestrian - to provide a human scale, good wayfinding, and a comfortable walking environment. The automobile is considered and sought to be convenient, but not dominate the view.

The Guidelines are also intended to create visual interest from near and far. Up close, ground level design standards produce comfortable, inviting, and stimulating environments. From afar a variable skyline of roof edges, vertical shafts, and signage create interest.

These objectives are achieved through a general consistency of design intent, communicated through standards concerning such features as fenestration, materials, color, scale, lighting, and signage. The guidelines also encourage visual interest throughout the Project Area, achieved through a variety of forms and materials. At full build-out, the project will have the appearance of a variety of buildings and spaces that have been built over time, by different owners and designers.

The Guidelines are mostly concerned with visual content relating to any and all parts of buildings (seen up close as well as from afar). These are guidelines and not rules. The purpose of the Guidelines is to give direction and help provide a very quick review and response to proposed development actions.



The Guidelines take as their inspiration a mix of the contemporary with the materials, profiles, and scale of the historic Erie Canal Waterfront.

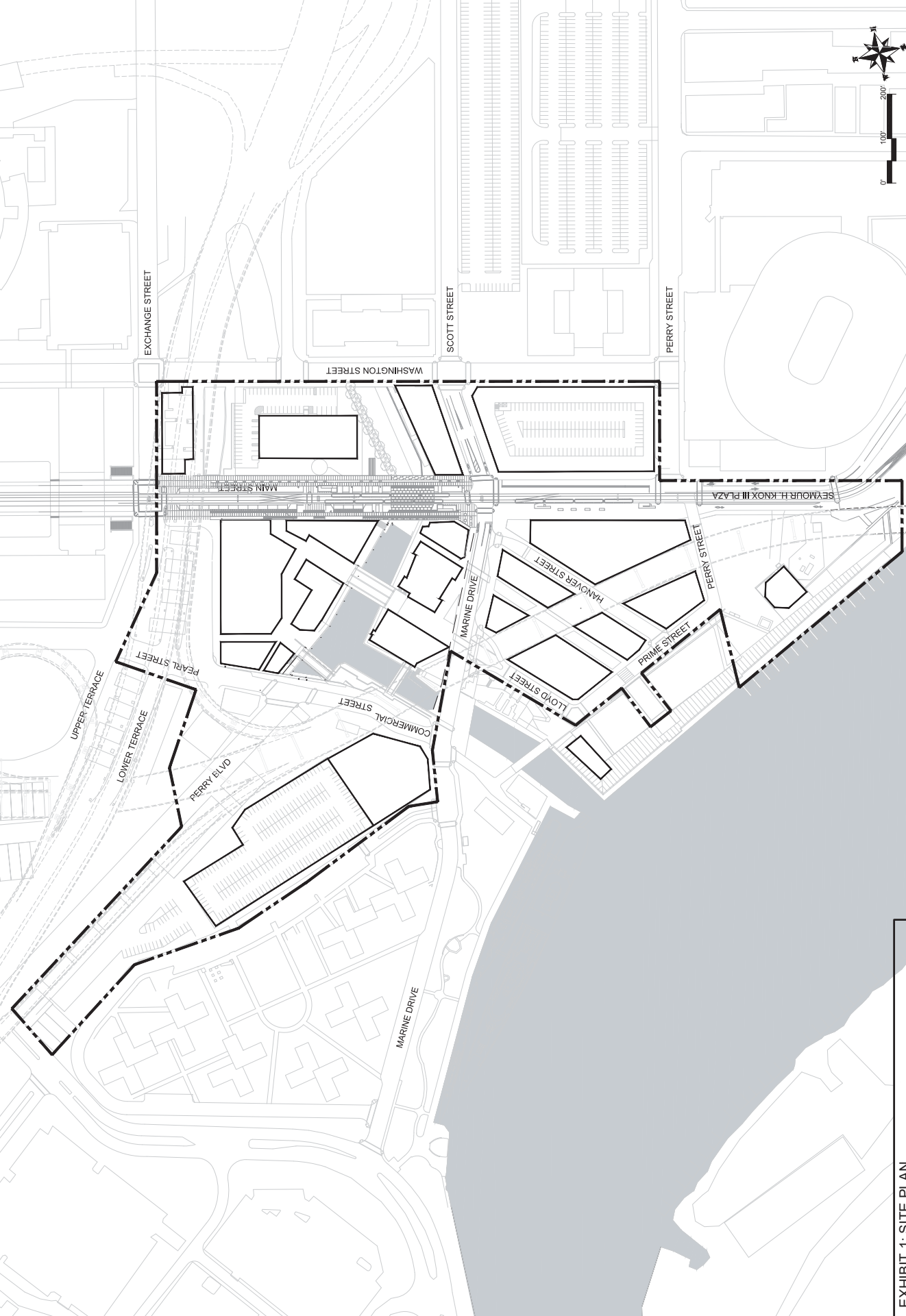
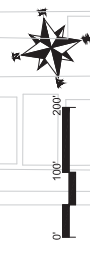


EXHIBIT 1: SITE PLAN

2. Use

The parcels in the Site Plan have been subdivided into blocks as per the designations below (see Exhibit 2 for the boundaries of the blocks). Each is subject to the Guidelines, which identify physical design constraints such as height restrictions, service access, and set-back lines; as well as use regulations such as ground-level use guidelines.

- AUD Block;
- Commercial Slip Block;
- Thruway Block;
- Donovan Block;
- Webster Block; and
- Erie Canal Harbor Parcels.

The Project as a whole is envisioned as mixed use. In order to create a vibrant, 24-hour pedestrian friendly environment, all areas allow a mix of uses, including Residential, Office, Commercial (retail, restaurant, and service), Hotel, and Cultural. Detailed descriptions of the program and design character of the blocks can be found in Chapter 3 of the State Environmental Quality Review: Draft Generic Environmental Impact Statement for the Canalside Project.

2.1 Active Ground Floor Uses

Active uses that engage pedestrians shall be located along street frontages as indicated in Exhibit 3. Ground level land uses shall be established and designed to animate public sidewalks and canal paths, and to provide visual appeal. In required active ground floor areas, the following uses are acceptable:

- Commercial uses, such as retail stores, retail service establishments, food and beverage establishments; and/or entertainment facilities, and
- Institutional uses, such as museums and similar facilities of an educational or heritage nature.
-



Active ground floor uses and pedestrian-oriented fixtures create a lively and commodious pedestrian environment.



0' 100' 200'

THRUWAY
PARCELS

EXCHANGE STREET

SCOTT STREET

PERRY STREET

WASHINGTON STREET

DONOVAN
BLOCK

WEBSTER
BLOCK

MAIN STREET

SEYMOUR H. KNOX III PLAZA

AUD
BLOCK

ERIE CANAL
HARBOR PARCELS

MARINE DRIVE

COMMERCIAL
SLIP

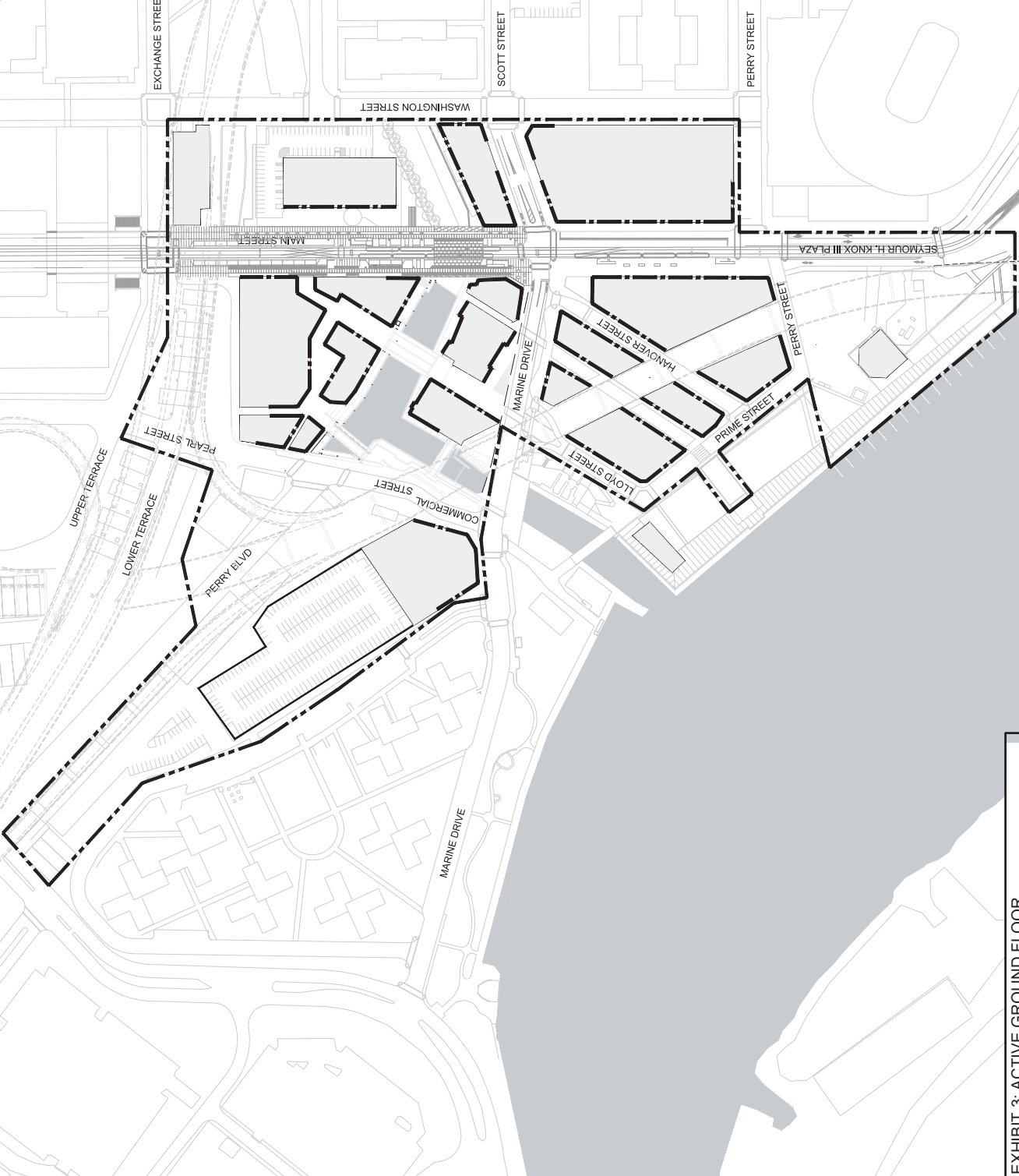
MARINE DRIVE

PEARL STREET

TERRY BLVD

LOWER TERRACE

UPPER TERRACE



3. Massing

The Guidelines describe the overarching design principles for all future private construction in the Project Area. The Guidelines define the intended quality, characteristics and coherence of the urban elements, which regulate how the site shall be used for civic and commercial purposes. The Guidelines define building mass, street wall heights, and façade articulation necessary to create a lively urban waterfront environment.

The building bulk controls are intended to create scale relationships between new buildings and surrounding areas and that will help define urban spaces for anticipated activities in the area. The Guidelines are also intended to integrate the Project with urban scale of downtown Buffalo and the KeyBank Arena at its urban periphery and to step down in scale as it approaches the waterfront. The historic building fabric of Buffalo's waterfront has served as a precedent in the development of these Guidelines. Review of historic photographs indicate that the Erie Canal Harbor and surrounding districts was once occupied by a combination of 3-5-story masonry buildings devoted to residential, commercial, transportation, and industrial purposes, as well as wooden grain elevators that soared to heights as tall as the existing Buffalo Skyway Bridge. Although the historic buildings presented a variety of roof lines and window arrangements, they also maintained a uniform street wall line along the streets and canal.

The historic Canalside is characterized by individual building volumes of various sizes and scales. These volumes together form the public space. This special character should be the starting point for the design of new development within Canalside. The scale and size of the buildings determines the character of the public space. It is important that the volumes are adjusted to the human size and scale. From an eye level perspective, the different volumes are experienced as recognizable units, and together they form unity.

In turn, these Guidelines have been shaped by the constraints and opportunities of present Project Area conditions and contemporary building regulations/practices and are intended to respond to the market conditions associated with mixed-use real estate development. Special care has been taken to avoid creating an inauthentic facsimile of the historic urban form or specific buildings, but rather to realize a dense and urbanized setting that gives modern expression to the development characteristics of historic precedents at Canalside.

3.1 Build-to Lines

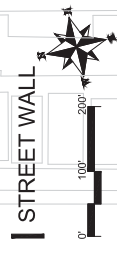
Street walls on public rights-of-way are encouraged to vary in height and be expressed in distinguishable facade types to evoke multiple buildings/uses. Mandatory building frontages for each block are indicated in Exhibit 4. A minimum of 75% of the lineal length of the mandatory building frontage shall be set at the streetline or within 10 feet therefrom. The first two stories of a building are required to be set at this mandatory front property line. Variation in street wall facades is encouraged along upper levels and roof lines. In areas where active ground floor uses are required, building entrances should be located at least every 75 feet (preferably every 30-35 feet). Recesses are welcome to give more space to outdoor dining as well as highlight key entrances to stores and uses above grade

The character and scale of facades forming the street wall may involve the combined use of traditional and innovative materials to express a transition from a Canal-era to a more modern-era design vernacular. The character, height and massing of Canalside street walls should:

- Define a continuous street and highly articulated building by building wall mass along all build-to lines (i.e., zero front yard setbacks along public rights of way)
- Encourage projections, canopies, signage, lighting, and variation of building size



Streetwall evokes multiple buildings



STREET WALL

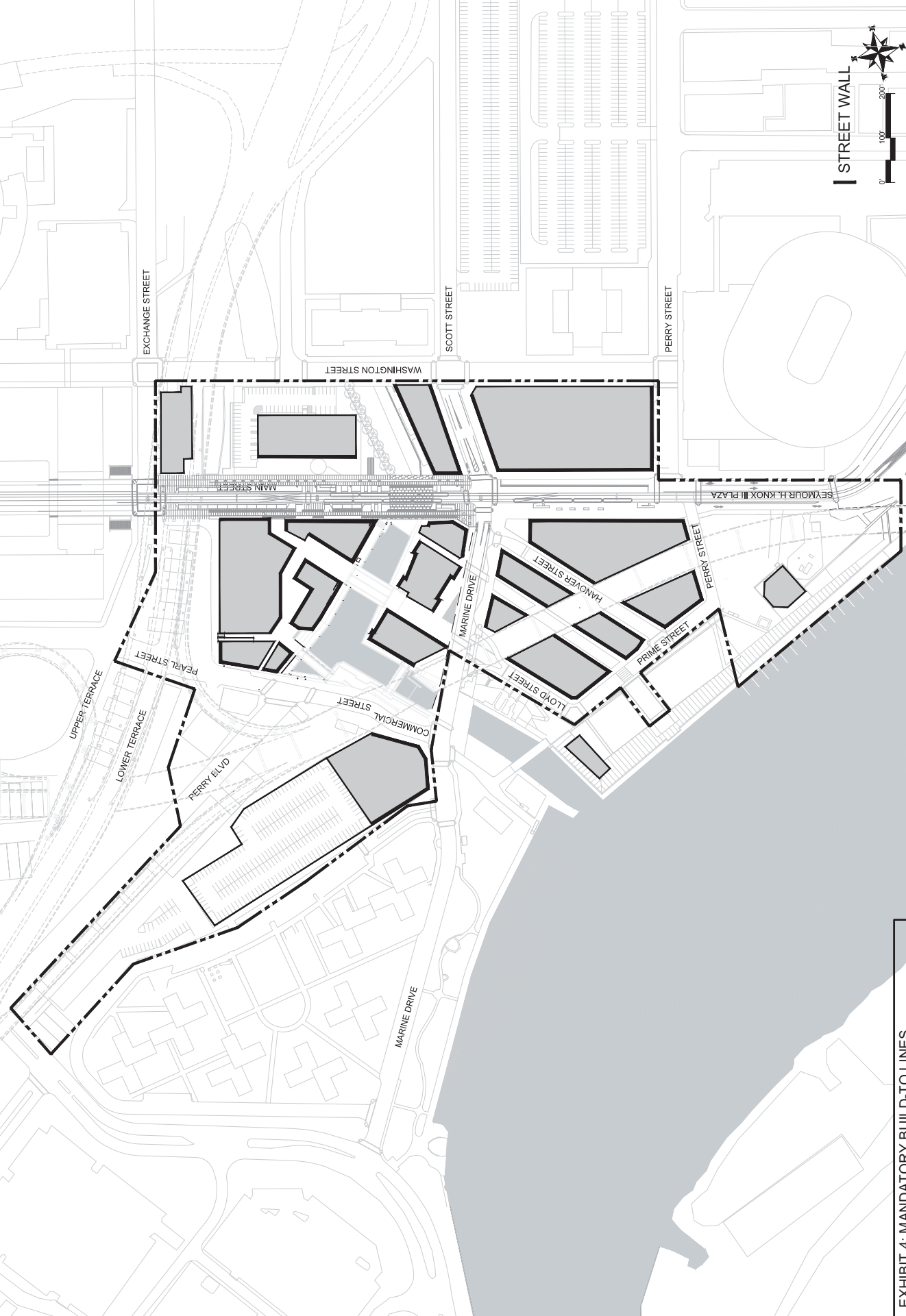


EXHIBIT 4: MANDATORY BUILD-TO LINES

3.2 Height Limits

Canalside is intended to have a varied skyline, as per historic precedent, with buildings of different heights. Bulk controls for buildings provide continuity at the scale of the block and respond to the heights of existing site conditions such as the heights of the KeyBank Arena, Marine Drive Apartments, and the Skyway. Street wall height is measured at build-to lines, which define the mandatory primary facade position on all blocks. Building heights are established from the adjacent grade elevation to the roof eave. Sloped roofs are allowed to continue beyond the building height limit if visibility is limited by pedestrians approximately sixty to eighty feet from the building at grade.

The calculation of building heights does not include architectural features such as cornices, parapets or corner towers; or functional elements such as elevator overruns, HVAC equipment or roof bulkheads. (See Section 5.7 for more information on placement of roof-top equipment.) Building height limits vary by block (see Exhibit 5) with the highest buildings permitted along Main Street. Buildings should be a minimum of 2-stories and 30 feet in height, with the exception of the parcels subject to NYSDOT regulations.

Building stepbacks are employed to help limit massing and to ensure that buildings maintain a human scale and a consistent street wall throughout. Stepbacks are required along Main Street, as indicated in Exhibit 5. Along the frontages where stepbacks are required, buildings must set-back 15 feet horizontally from the street at 60 feet in height.



Lower scale street wall with tower stepback maintains an appropriate district scale.

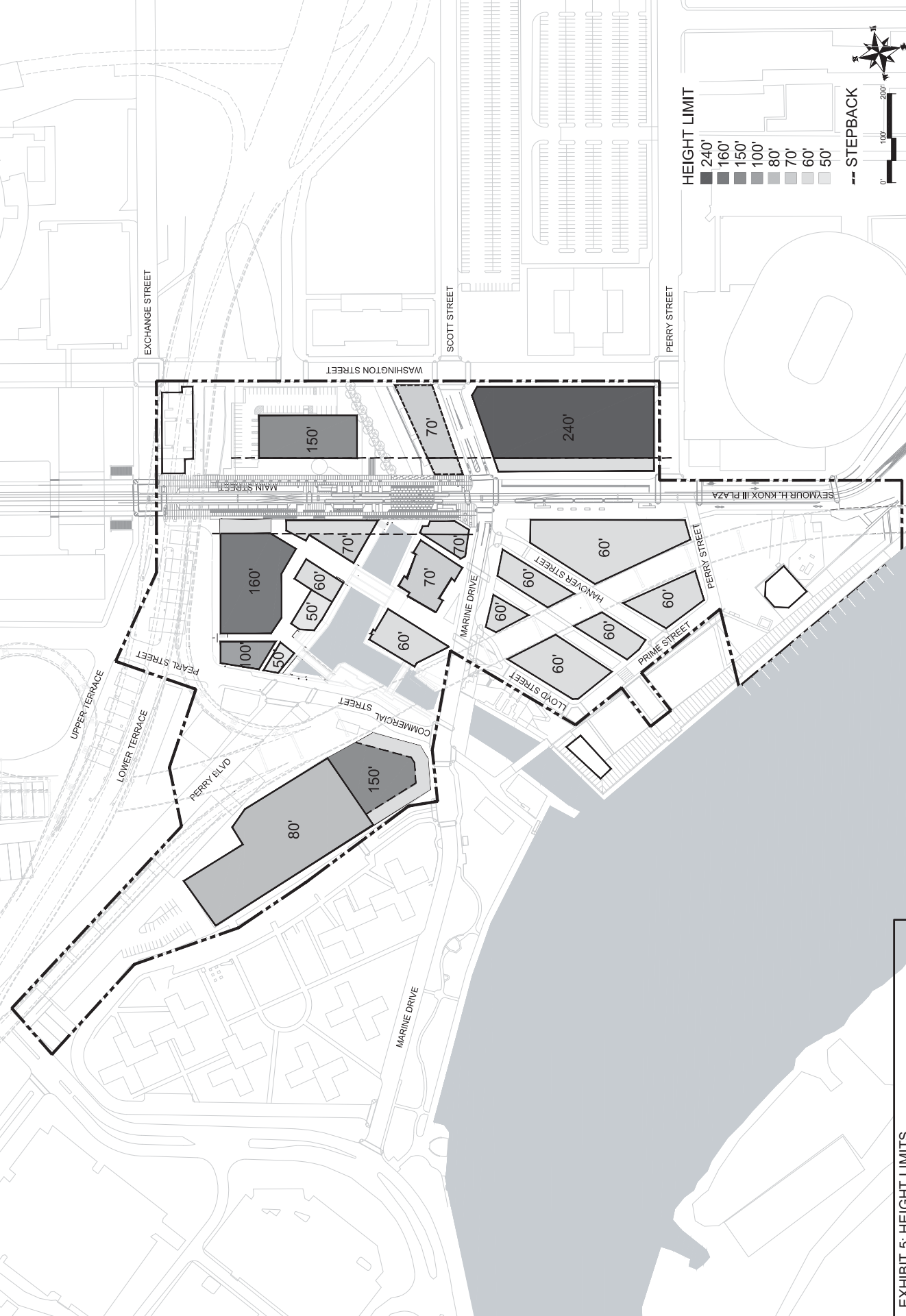




HEIGHT LIMIT

- 240'
- 160'
- 150'
- 100'
- 80'
- 70'
- 60'
- 50'

STEPBACK



4. Circulation

Streetscapes in the Project Area are meant to be pedestrian friendly environments, featuring a consistent palette of signage, lighting, paving, and furniture. Streets should be well lit, active, human scaled, and feel safe day and night.

All streets in the Project Area will handle both vehicular and pedestrian traffic. Main Street will be the central spine of the Project Area, combining multiple modes of transit including pedestrians, vehicles, and light rail. Main Street and Pearl Street are important vehicular streets, as they connect the Project directly to downtown. Scott Street/Marine Drive is an important avenue for through traffic and will have a bus stop within the Project Area. The canals running through the Project Area will have continuous pedestrian paths on both sides.

At the Aud Block parcel, recreation and/or reference of historic streets Lloyd and Commercial shall be incorporated into the development plan. These streets would align with the pedestrian bridges and not be open to vehicular traffic. The streets shall have accessible concrete crosswalks at the street intersections, matching crosswalks installed within Canalside. The building perimeters shall have concrete sidewalks that follow the material and streetscape components outlined in Section 4.1.

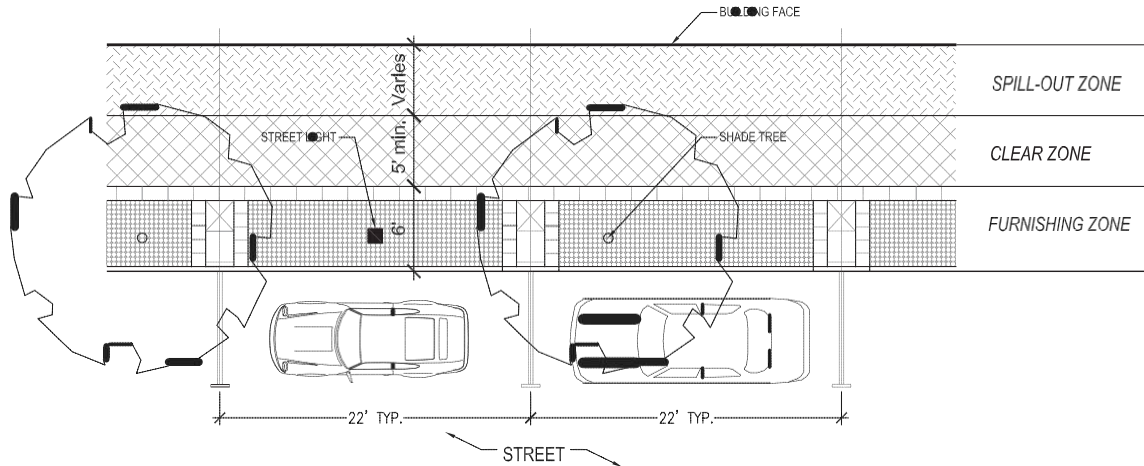
4.1 Streetscape

Street paving materials shall be finished with City approved materials. Where possible at significant locations, materials will be used that evoke the historic character of the Project Area, including rehabilitated medina sandstone pavers (or stone pavers of equivalent/similar materials in the event that the amount of recovered medina pavers is not sufficient to fully achieve reconstruction), cut stone sidewalks, exposed aggregate stone sidewalks and ramps, and sandstone or granite curbs. Materials should match or complement materials that have been installed under previous Canalside projects.

Standards for the design treatment of streets is established to tie the entire Project Area together while permitting individual expression to highlight the unique character of important places. Sidewalks shall be designed in accordance with the illustration below. Sidewalks may be a combination of concrete, patterned concrete, aggregate concrete, brick, and concrete pavers. Within the sidewalk, space must be provided for a clear zone (5 feet minimum) to allow for the unimpeded flow of pedestrian traffic, and a furnishing zone for the placement of vegetation, lighting, signage, equipment, benches, waste baskets, bike racks, and other furnishings. The furnishing zone will continue as a strip of consistent width along the linear distance of the sidewalk, broken into regular modules to allow for crossing paths.

Streetscape vegetation will include a combination of designated street trees accompanied by street tree grates, shrubs and planters. A tree planting plan shall be prepared according to the City of Buffalo Tree Ordinance. Street tree planting within sidewalk areas shall be placed in continuous trenches that have a minimum depth of 4 feet. A prepared planting medium shall be utilized that is capable of permitting the percolation of water and air, while also supporting the sidewalk above. Aeration and drainage measures should be included.

Streetscape furniture such as benches, waste baskets, and bike racks shall be consistent in design and character in areas throughout the site. Materials should match or complement materials that have been installed under previous Canalside projects.



4.2 Parking

Throughout Canalside, parking is intended to be convenient, but not dominate the view. Parking, where located, will be set back or otherwise screened to not be visible from key locations (especially from Main Street and the Riverfront).

There are no minimum requirements for the provision of off-street parking within the Project Area. Non-enclosed surface parking areas shall be screened, where practical, from rights-of way by means of landscaping or solid walls consistent with the architectural guidelines. Intended sites for structured parking can be found in Exhibit 6.

4.2.1 Structured Parking

Structured parking areas are intended to be shared and to be hidden from major rights-of-way, such as Main Street, or key view corridors. The intent for the Aud Block parking structure is to be a combination of below and above grade. Above-ground structured parking within a development parcel should be either completely encapsulated (i.e. clad in such a manner that it is indistinguishable from the building elements around it), or visually screened by means of other uses, by substantial perimeter planters, or by architectural elements which effectively shield vehicles within the structure from view at grade level. Where parking is visible, the exteriors fronting on public thoroughfares are to be designed as street-oriented architecture with the same rules found in these guidelines for traditional occupied buildings, except for mandatory ground floor use. The design of these exteriors should be treated with special sensitivity to the public environment where they are opposite existing building entrances. Elevator towers should be designed as a prominent feature, to help introduce visual interest and wayfinding.

Ceiling-mounted lighting within structures should be screened from grade-level view. Where parking exists on top floors, elements such as trellises or plantings shall screen views from above. At street level, other uses, preferably active uses, shall screen above-grade parking from predominant public views where possible.

Designated locations for access to structured parking can be found in Exhibit 6.



Parking at key locations should be screened or wrapped by other uses.

4.3 Access and Entrances

Vehicle access to all parking and service areas are restricted to zones allowing curb cuts as shown in Exhibit 7. Within these zones, curb cuts should not be located within 50 feet of the end of any block or intersection. The maximum width of a singular curb cut shall be 25 feet. All parking or service entries are to be designed with attractive doors. Signage and lighting are to be integrated into the building design. Washington Street shall maintain an overall pedestrian friendly environment, while accommodating service and parking access. A maximum of 2 curb cuts are allowed within each block of Washington Street.



Where parking is visible, it should maintain the scale, materials, and architectural expression of the district

4.4 Refuse Collection

Refuse collection areas and dumpster locations shall be fully enclosed within portions of principal buildings for which they are proposed to serve and shall be screened from view so as not to affect other views from around the site.



STRUCTURED
PARKING

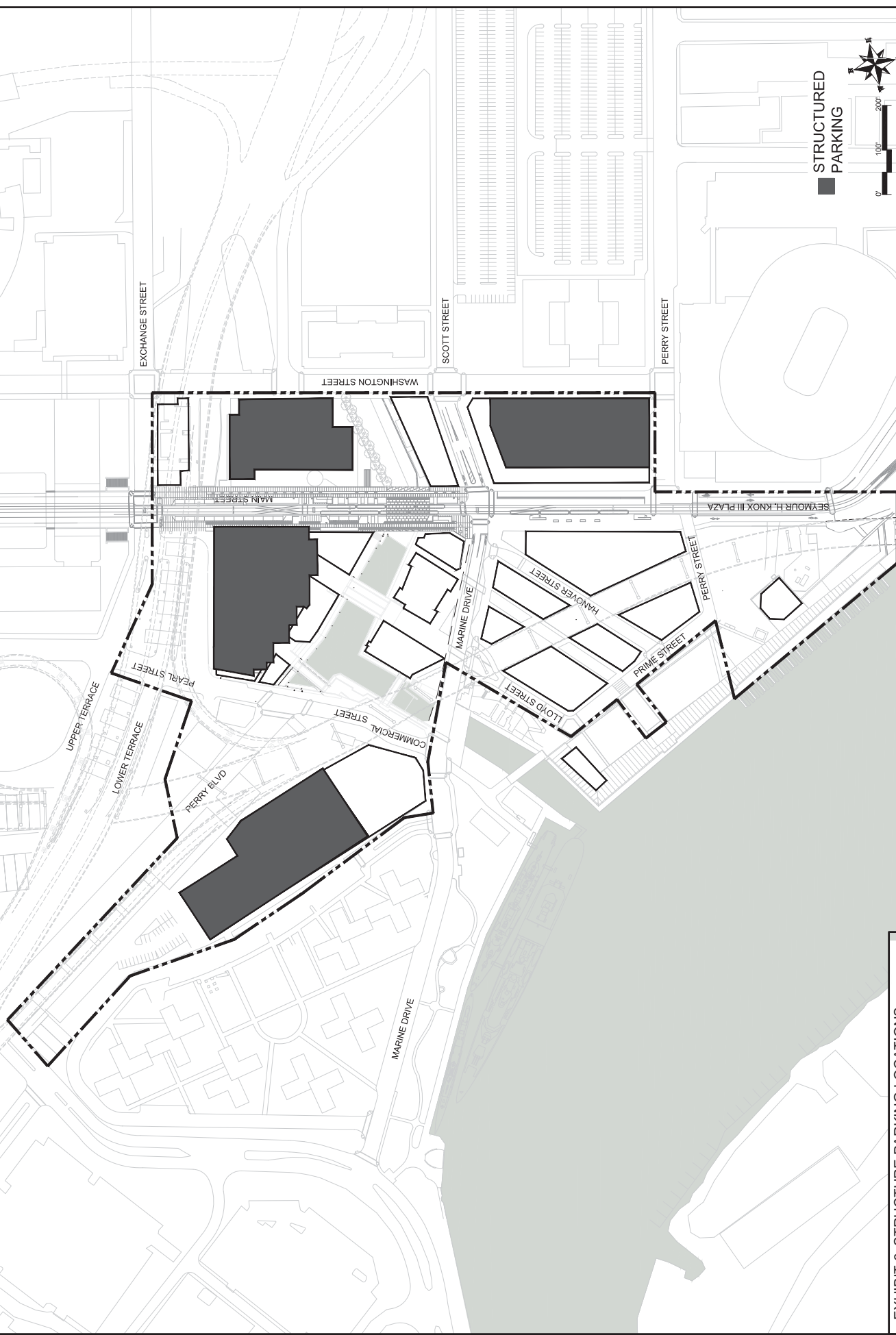


EXHIBIT 6: STRUCTURE PARKING LOCATIONS



- I SERVICE
- I PARKING
- II PARKING & SERVICE

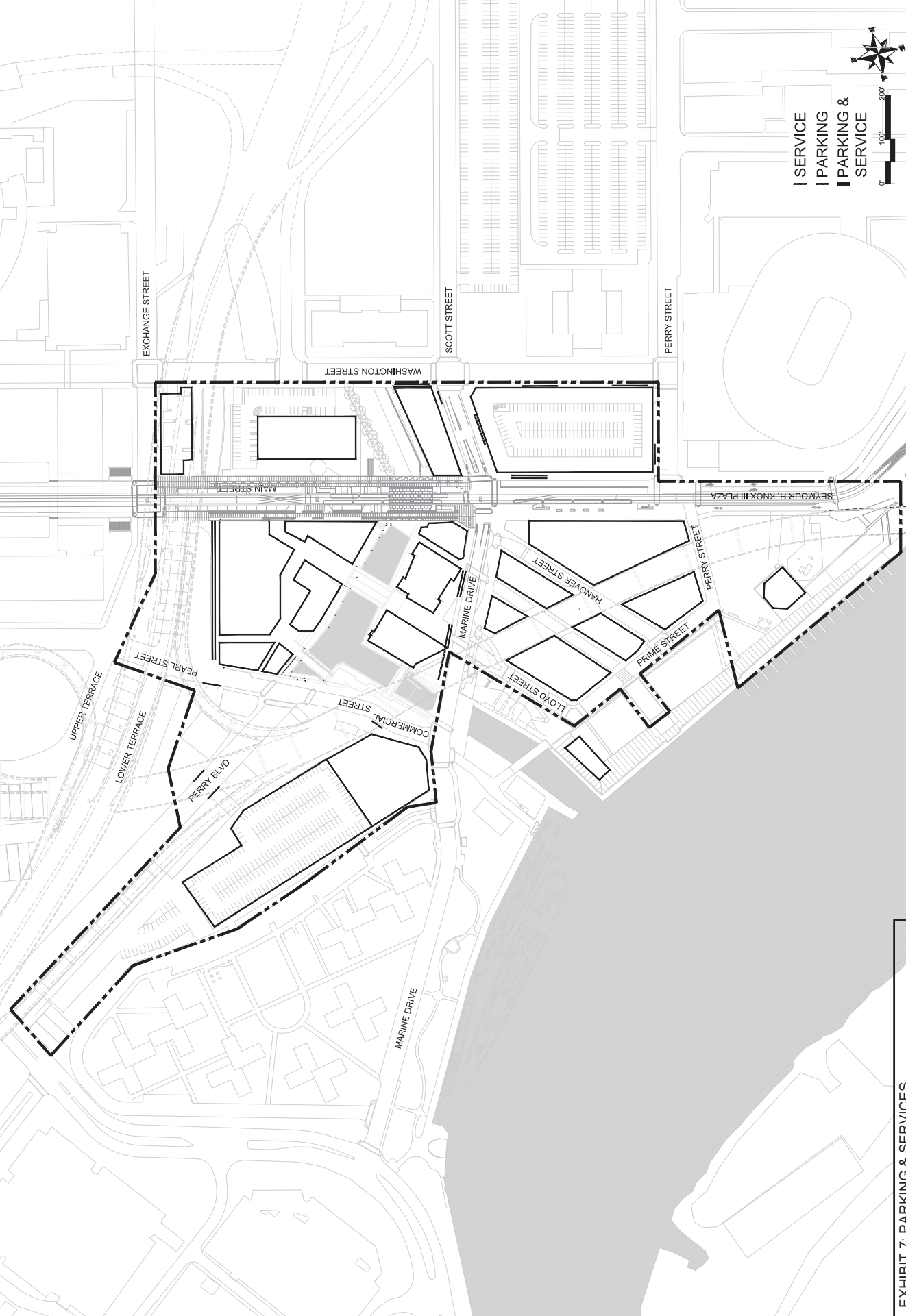


EXHIBIT 7: PARKING & SERVICES

5. Architectural Features

New buildings shall be constructed with finish materials that give modern expression to the materials commonly used throughout Buffalo's rich architectural history. Typical waterfront buildings were often constructed with brick and included wood and steel elements that articulated facades and profiles for overhangs, cornices and hoisting mechanisms.

Design references to Buffalo's industrial waterfront heritage are encouraged. The waterfront environment was one of industry and purpose and it was rich in technical innovation. The structures built here were the most innovative and advanced of their kind (particularly grain elevators), and they were admired as such around the world. The design of new buildings and structures should be timeless and enduring, seeking inspiration from the rich industrial and architectural precedents of Buffalo and its waterfront and should seek to uphold its strong history of technical innovation.

Building volumes consist of one or more individual facades that have their own architectural expression. They have 2 or more bays and are individually legible. There is no repetition of architectural expression per side of a building block. Every building has a plinth-middle-top. The architectural expression can reference the historical character of the former Erie Canal buildings.

Architectural features (shapes, colors, clocks, towers, corners, etc.) should be used to create variety and offer visual relief and visual interest. Key locations for Architectural Emphasis can be found in Exhibit 8. The intent of these features is to emphasize major view corridors and significant places throughout the Project; and also to attract views from the elevated highways.

5.1 Edges

Special care and design attention along with more decorative treatment and materials are desired for all edges of buildings. These are the most visible part of the urban scene. Edges include roof lines, canopies, cornices, and more prominent window openings and entrances. These elements can be very modest in detail and reflect the historic style of Canalside.

5.2 Bases

Buildings should be articulated to respond to individual users and provide a pedestrian scale. The diversity of storefront articulation on one parcel will break down the scale of the overall parcel and street wall. The first level of buildings should be articulated by material change to express a building base and use other elements such as color, design detail, smaller scale, and higher quality materials to provide visual interest. Buildings that extend down to the towpath are to utilize rough-faced stone that matches the existing installation that reflects the historic construction of the Erie Canal. The base should be 1 or 2-stories in comparison to the overall building height, to emphasize the ground floor activity and provide the highest quality of pedestrian environment. The entrance to the building should be accentuated within the building design to become an identifiable feature.



Articulation of bases and edges provides visual interest and a high quality pedestrian environment

5.3 Storefront and Retail Facades

The design of storefronts, entranceways and awnings should promote a sense of openness; making sites visually accessible creating an active and vibrant atmosphere with displays that encourage active street life and window shopping.

- Storefronts should be integrated into the design and materials of the entire building. The storefront's bulkhead/kneewall should be constructed of a durable and evocative material
- The design of the doors should contribute to the character of Canalside and be compatible with the storefront design and material.
- Interior display lighting should be installed to include adjustable LED lighting with a lighting temperature range of 3800K to 5500K. No fluorescent lighting shall be utilized for signage purposes.
- Any storefront with a ground level restaurant use may have a hardscape front yard that extends to the sidewalk area as exterior cafe space or terrace area. The use of temporary railings may be permitted to separate cafe dining from sidewalk areas, provided railings utilized complement building materials and reference the heritage of the area. Railing parts and fittings shall be removable and designed so as not to damage any street maintenance equipment.



Storefronts and cafes create an active and vibrant pedestrian atmosphere.



5.4 Corners

Corners are particularly visible and are suggested to be made more noticeable. Changes in orientation, shapes, additional materials, colors, and projections are all favored means of adding special visual appeal to interesting streets, canals, and public spaces. Exhibit 8 illustrates those locations that are particularly visible due to the arrangement of public spaces. These are the building parts that terminate longer and more dramatic views.



Building corners provide an opportunity for establishing architectural emphasis.

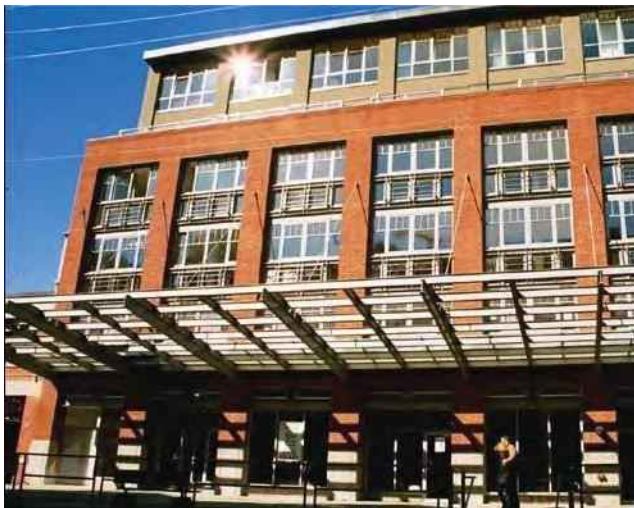
5.5 Cornices

A crowning projection, or cornice, shall be encouraged at the top of a building along the street wall (top of the building for those under 60', and at the stepback for those over). These elements can be very modest in detail but should provide a clear profile. Cornices on Main Street parcels should be more pronounced, following the precedents of the 19th century downtown office buildings. A moderate cornice or banding would be encouraged between the base and the upper elevation.

5.6 Canopies

Another feature for architectural emphasis are canopies and awnings. Canopies and awnings are permitted and encouraged as they provide weather protection and provide visual interest and delight to the streetscape environment. These elements are to be decorative and light weight. Variety and non-repetitive design are desired. Canopies can be constructed of a variety of materials including both fabric and metal. Fabric awnings can be retractable.

Lettering and logos are permitted on the valence flap of the awning but lettering is generally discouraged on the main body of the awning. Any graphic incorporated onto a canopy or awning would require approval by the Design Review Committee. It is desirable for these projecting elements to incorporate outdoor heating systems to lengthen the comfortable use of outdoor spaces.



Canopies provide visual interest, weather protection, and a human scale to the pedestrian environment

5.7 Skyline

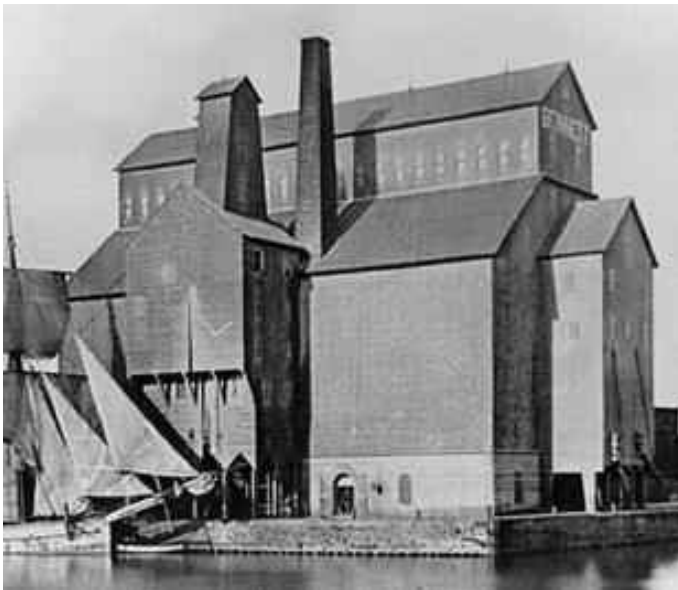
Looking to historical precedent for the area, a goal for the project is to create a varied and highly decorative skyline as seen from afar (adjacent highways, streets, and riverfront open spaces). The varied rooflines are achieved by changing heights, also by varying roof types, roof angles, and the addition of vertical elements to contrast with the roofs.

Rooftop Terraces

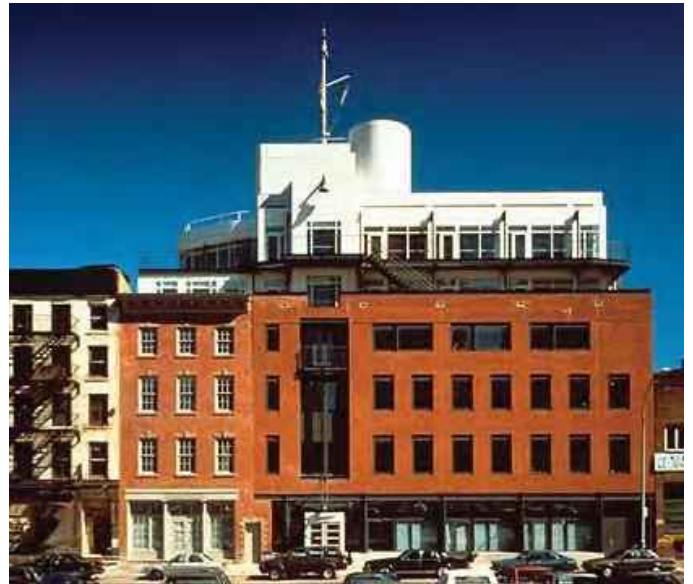
Rooftop terrace structures shall not be enclosed and are not considered an additional building level. Rooftop terraces are encouraged along the Prime Street buildings to take advantage of waterfront views.

Mechanical and HVAC

All exposed mechanical equipment and bulkheads shall be mounted on roofs. Equipment should be set away from the roof edge, integrated into the roof design and screened in a method that is integral to the architectural design of the building and adds visual interest to the skyline. The view of roof mounted mechanical equipment should be considered from both the pedestrian level and adjacent buildings. All venting of HVAC equipment shall occur on the interior of development parcels. All venting runs for cooking fans shall be fully enclosed and incorporated into the interior of proposed buildings and vented to the roof where possible.



Varied roof forms of the traditional Buffalo Waterfront.



Setbacks above the street wall can provide space for rooftop terraces that take advantage of views to the waterfront.

5.8 Balconies

An architectural element that could provide a variety of depths to an elevation is a balcony. The balconies should be incorporated into the overall building design, whether they are recessed or projected beyond the main elevation. The balconies should be framed by materials utilized within the elevation, such as masonry or steel.



Balconies can help establish rhythms when integrated into design.

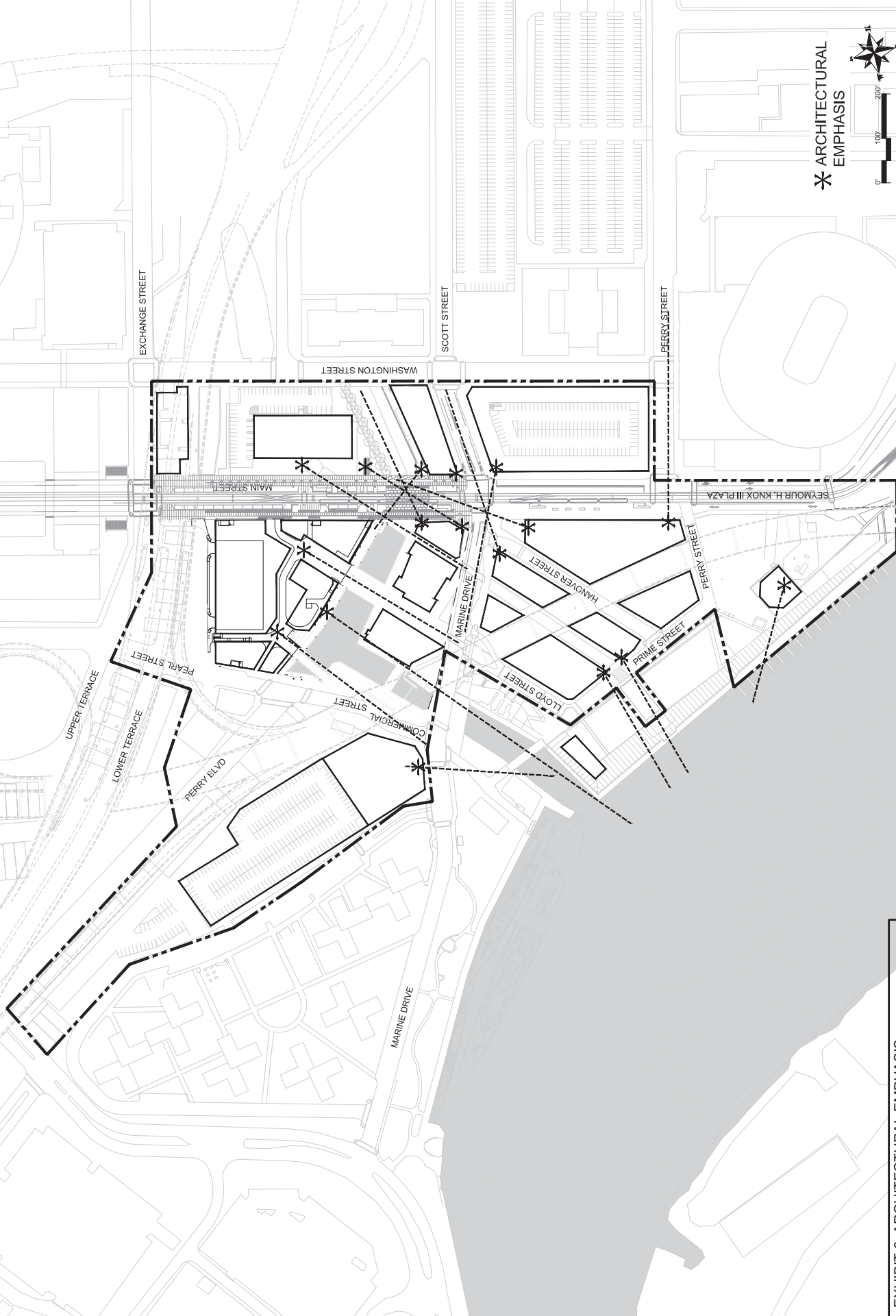


EXHIBIT 8: ARCHITECTURAL EMPHASIS

6. Materials

New buildings shall be constructed with finish materials that give modern expression to the materials commonly used throughout Buffalo's rich architectural history. Typical waterfront buildings were often constructed with brick and included wood and steel elements that articulated facades and profiles for overhangs, cornices and hoisting mechanisms. Site improvements are to incorporate materials that have been installed within Canalside, including stone pavers, stone canal walls, light fixtures and railings.

6.1 Building Materials and Color

- *Traditional building materials should be combined with new building technologies.*

Use of innovative building technologies is encouraged throughout the Canalside Area and should be contrasted with traditional building materials that reference the Erie Canal Harbor's history.

Recent innovations in building materials can showcase advancements in environmentally conscious design and provide a sense of excitement for Canalside visitors. Examples include cladding systems utilizing terra cotta and glazing systems that combine traditional sun shading elements with innovative structural applications.

- *Use building materials compatible with the heritage of the Canalside waterfront.*

New buildings shall be constructed with materials common throughout the Buffalo waterfront's rich architectural history. Use of materials such as brick, stone, steel and wood is required for the first 60 vertical feet of a building's base, especially on pedestrian-oriented street wall facades. The use of these high-quality materials is intended to convey a solid, lasting look. Buildings should employ industrial materials as a way of visually and conceptually evoking the industrial heritage of the Buffalo waterfront. These include timber, forged and cast metals as well as rough hewn stone and metal cables.

The use of asbestos shingles, imitation stone, imitation brick, stucco, exterior insulation finish systems or vinyl aluminum siding is not allowed on any building elevation.

- *Create a rich and diverse palette of colors and materials in building facades.*

Facade coloration shall be achieved by use of the inherent color of building materials rather than the application of color to the surface of materials. Paint should be reserved for trims and accents on metal, wood, cornices, frames and the like. Use of material's inherent color sets a standard of authenticity associated with industrial structures. Examples of this type of façade coloration are present in the Cobblestone District, where a variety of earth tones are achieved through the use of unglazed brick, wood, concrete and steel.

- *Use regionally produced masonry and regionally quarried stone.*

Masonry facades shall include the use of stone as architectural accents for lintels, sills, copings and keystones. Foundation bases, sills and lintels shall to the greatest extent possible use local sandstone or limestone. Masonry finishes are encouraged to be natural rather than highly finished or polished;



Mixing of traditional building materials such as brick, stone, and steel in a contemporary composition.

6.2 Glass and Fenestration

- *Ground level fenestration should be designed for retail activities*

The base of buildings should feature the use of glass for the first one or two stories based on the proportion of the overall elevation to exaggerate the importance of the ground level active use (only one level of active use is required). Glazing and openings shall promote a flexibility of ground floor uses and the potential for change over time. Proportion of glazing to overall wall area shall be a minimum of 60% on ground level street wall frontages facing public rights-of-way. Window openings shall express sills and headers of metal or stone. Transoms are encouraged for larger window units, as well as bulkheads along the base. In all building facades windows must be set back from the wall surface a minimum of six inches from the surface of masonry to the glazing. Tinted or reflective glass shall not be utilized.

- *Fenestration should encourage building accessibility.*

Window proportions, groupings and rhythms shall be integral elements of the design of each building facade and urban street-wall. Punched windows are desired above the 2nd floor. Glazing systems shall be designed to promote area-wide visibility, accessibility and safety during evening hours and during the winter season. Well designed fenestration patterns that evoke historic fenestration are preferred over attempts to replicate historic patterns. This applies to both the overall fenestration opening arrangement within an elevation as well as the individual window units including muntin bars.

- *Window materials and character*

Windows should be constructed using wood or aluminum clad wood with historically accurate profiles on the upper levels and wood or metal on ground floor storefronts common throughout the Buffalo waterfront's rich architectural history. Use of wood or metal is required especially along pedestrian oriented street facades. The use of vinyl windows is not permitted.



Fenestration pattern is on a small scale - 10-15 feet.

7. Signage

The vision for Canalside imagines a wide variety of signage types and locations including rooftops, canopies and vertical marquees. Signage should be integral with building design, not tacked on. They should be pedestrian-oriented in size, placement, material and color as well as auto oriented to be seen from afar. In designated areas, iconic signage is permitted to attract long distance views from the elevated highways. Highway oriented signage should be located within 100 feet of the Thruway and 50 feet of the Skyway. Signs should demonstrate invention and visual delight, but must be cut-out letters.

Lighting should come from direct shielded light sources and be carefully integrated into the overall design of the building so as to provide visibility and safety but avoid creating glare or light distribution that adversely affects motorists or pedestrians.

Neon signs, roof mounted signs, and applied vinyl letters are not allowed.



Canopy



Vertical Marquee



Rooftop

8. Lighting

The vision for Canalside seeks a maximum amount of light, to create a variety of environments and experiences. Lighting should be used for artistic purposes and carefully integrated with the architecture and buildings, such as to accent edges.

The commercial buildings are intended to be inviting to the public, to encourage visitors to enter the site from the city streets, to shop at the retail stores and eat at the restaurants, and to generally stay longer and take full advantage of the Canalside Area. Balanced against an appropriate level of street illumination is the need to limit light that is cast up and into upper floors of buildings. Lighting fixtures should be scaled to the pedestrian and have a distinctive industrial character. In particular, the diagonal pedestrian right-of-ways should be lighted to enhance and encourage pedestrian movement. Techniques such as light on catenary sways suspended between buildings, terrace lights, festoons, post lanterns and wall mounted fixtures are encouraged, with the waterfront viewed as the final destination, but with compelling stopping points along the way. Architectural accent lighting should highlight corners and roof edges.

The Developer is responsible for providing adequate quantity and distribution of lighting across the full width of all sidewalks, pedestrian alleys, and public plazas. Floodlighting from the top of buildings may only be used sparingly, and should have effective glare control.

Storefront lighting is one of the best sources of sidewalk lighting in urban areas. It is warm and welcoming, and contributes to a sense of activity and watchfulness. It also generally provides a greater amount of light directly onto the sidewalk than do street-level luminaries. Retail storefronts are an effective way to provide lighting from the buildings. The first four feet inside any retail or restaurant establishment shall have decorative lighting, preferably with visible point sources. Occupancies on the first floor that do not have active, bright window displays shall be designed to provide visual articulation from lighting at no greater than 25 feet intervals. This can be accomplished in a variety of ways, such as:

- Decorative luminaries mounted to walls, posts, brackets, catenary wires, etc.
- Lighting surfaces, textures and objects such as pilasters, wall features, banners, sculptures, graphics, etc.
- Internally lighted glowing architectural or graphic elements such as glass block, display cases, signage panels, canopies, transparencies, etc.
- Lighting entryways (especially if they are recessed).
- Lighting property addresses.

Developers are also responsible for security lighting for all pedestrian and service alleys from 10 PM until dawn. This shall be from LED sources, with a time cut off to prevent glare into adjacent upper level windows. These fixtures shall create minimal glare and shadows, and be reasonably attractive. Luminaries used for decorative purposes may be used for this function, or separate lighting fixtures may be employed.



Lighting should be used to accentuate architectural features and provide excitement and visual interest.

9. Erie Canal Harbor Parcels

For the Erie Canal Harbor Parcels, the guidelines approved as part of the 2005 Erie Canal Harbor Amendment to the Urban Renewal Plan for the Waterfront Redevelopment Project (included as an appendix to this document) still apply.

With the exception of:

- The frontages along the skyway right-of-way are intended to be active building frontages and not service entrances

10. Sustainability Guidelines

The benefits of applying sustainable design principles in the early stages of planning can significantly improve a building's efficiency and the quality of the environment it provides for its occupants. The application of sustainable principles in site engineering and landscape design can reduce costs associated with infrastructure construction, reduce costs for landscape maintenance, reduce building operation costs, reduce impacts on natural systems, and provide enhanced outdoor spaces for recreation and leisure uses. Sustainable design practices must be applied at the earliest phases of design, at all levels of development and continuously from planning through occupancy. The implementation of sustainable principles must be undertaken in a coordinated manner between the design team and Canalside developers.

The primary purpose of the following sustainability principles and suggested strategies is to establish key performance areas for a sustainable approach to development at Canalside. These guidelines outline five general sustainability categories:

- Energy
- Indoor Environmental Quality
- Water Management
- Outdoor Environment and Site Construction
- Material Resources and Waste Reduction/Recycling

Within each category, suggested strategies to meet the standards have also been outlined to provide ideas on how environmental initiatives could be integrated into the design of Canalside.

Energy

Energy consumption can be reduced through the implementation of efficient heating and cooling systems, building orientation, façade materials, roofing materials, shading from trees, use of natural daylight and natural ventilation. The use of renewable energy technologies can reduce operating costs and environmental impacts. To ensure that Canalside achieves frugal and responsible energy use, the development should focus on three primary energy areas: energy efficiency, passive conditioning, and energy management.

To maximize energy efficiency, Project buildings could be designed to take advantage of the local climate and reduce external loads by optimizing the building orientation and passive heating and cooling of the building, where possible. The overall average temperature throughout the year falls under the comfort zone. Thus, there is a higher heating demand than cooling demand with the exception of the aquarium. In winter, outdoor areas could be zoned with temporary outdoor structures to enhance the usage of these areas. These zones can then be conditioned to comfort with a lower temperature range than indoor areas, thus reducing the overall heating energy usage.

The development could also utilize high efficiency building systems to reduce heating and cooling needs. Heat recovery and air side economizers, which use cool outside air to cool an indoor space, should be included where applicable to ensure overall energy efficiency and visitors' comfort. Employing building control systems for both the lighting and building systems could further reduce the loads for conditioning. Also, outdoor and parking structure lighting systems are important elements that can provide further energy savings by being designed to meet Project lighting and safety goals, while simultaneously minimizing the overall lighting power density for all buildings.

Suggested Strategies:

- Design buildings to take advantage of prevailing winds and solar orientation to reduce cooling and heating needs.
- Utilize integrated building envelope and HVAC systems that achieve thermal comfort based on radiant temperature, local air velocity, relative humidity, and air temperature. See American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2007.
- Utilize tree plantings to shade buildings and reduce cooling loads.

- Design for daylight access and view.
- Exterior building materials shall be selected to prevent glare.
- Zone outdoor condition spaces (temporary during winter).
- Ensure efficient end use of energy and reduce peak demand and load shaving.
- Right-size mechanical equipment.
- Specify high performance building system/heat recovery/air side economizers.
- Install building controls and metering to encourage conservation and comfort.
- Install efficient appliances (i.e. Energy Star Rating) and equipment.
- Optimize site lighting design by installing energy efficient interior light fixtures and exterior lighting which minimizes glare and is controlled by automatic timers.
- Purchase electricity power from renewable sources.

Indoor Environmental Quality

Indoor environmental quality is an important component of sustainability because it contributes to the wellness and comfort of building occupants. Studies have shown that improved air quality through use of strategies such as low-emitting materials, personal control systems such as operable windows and programmable thermostats, and exposure to natural light can benefit the health and productivity of building occupants. Indoor environmental quality concerns are addressed in the building design and in the selection of materials. For example, ventilation should be designed to best practice standards to ensure adequate circulation of fresh air. Also, incorporating carbon dioxide monitoring in densely occupied spaces would ensure improved air quality while minimizing energy use.

At Canalside, building characteristics and indoor environments could be designed to reduce occupant exposure to potentially harmful chemical and biological agents such as carbon dioxide, volatile organic compounds (VOCs), molds, allergens and infectious agents. These improvements may result in health benefits as well as monetary savings due to increased productivity. Office, residential and retail spaces at Canalside could be designed to maximize exposure to natural daylight. Use of natural light requires less electric light energy, contributes less to internal heat loads requiring cooling and produces the most desirable quality of light, creating an inviting atmosphere.

Suggested Strategies:

- Adopt natural daylighting strategies.
- Design for view access from regularly occupied spaces.
- Provide occupants with local control of temperature and air movement as well as lighting.
- Provide operable windows where possible on the building perimeter away from possible sources of contamination such as loading and service areas and building exhaust fans.
- Use natural ventilation strategies where possible. See ASHRAE 62.1-2007.
- Develop and implement an Indoor Air Quality (IAQ) plan. See Sheet Metal and Air Conditioning Contractors' National Association (SMACNA) IAQ Guidelines for Occupied Buildings Under Construction.
- Provide air quality testing or building flush-out prior to occupancy.
- Provide indoor pollutant and source control and MERV 13 (a measure of filter efficiency) filtration.
- Institute a development-wide green-cleaning program using 100% non-toxic cleaning products.
- Use adhesives and sealants consistent with Green Seal standard GS-36.
- Use paints and coatings with VOC levels specified in Green Seal Standard GS-11.
- Use carpets and pads consistent with American National Standards Institute (ANSI) NSF 140-2007 and the Carpets and Rug Institute (CRI)'s Green Label Plus Program.
- Use composite wood and agrifiber products with no added urea-formaldehyde or adhesives.

Water Management

A sustainable water infrastructure conserves potable water, reuses non-potable water whenever possible, directs and captures stormwater and allows solid settling before discharge to a water body or sewer system. By managing water on-site, the Project can relieve stress on the City's aging water infrastructure.

Water is a significant design feature of the Project, linking activities on-site to those on the Buffalo River. It is important to employ best practice management for the conservation, reuse and quality of water on-site. All buildings at Canalside should aim to decrease the demand for potable water through efficient plumbing equipment and policies that encourage conservation. For example, reducing impervious surfaces would help stormwater infiltration within the Project Area. Also, metering could be used to help motivate tenants to reduce their potable water demand.

The variety of water-related components within Canalside, such as the aquarium, boating activities, and canals require special attention to stormwater collection and runoff. It is suggested that Canalside incorporate stormwater harvesting on-site to collect the water before it mixes with the water used for recreation. The collected rainwater could be treated and stored under the canal or in stormwater tanks throughout the development to be reused for non-potable uses such as irrigation or toilet flushing.

Suggested Strategies:

- Reduce potable water consumption through plumbing fixtures that conserve water for laundry, dishwashing, and restrooms and activated controls on lavatories and sinks. See Energy Policy Act of 1992.
- Reuse grey water, storm water, and condensate water for appropriate non-potable uses such as refilled canal water, toilet flushing, and irrigation.
- Enhance storm water management through the reduction and slowing of runoff water.
- Mitigate storm water runoff from the development.
- Employ drip irrigation where appropriate and utilize highly efficiency irrigation systems.
- Minimize the use of chlorine-based chemicals in all water treatment.
- Meter tenant water use.

Outdoor Environment and Site Construction

Integrating aesthetics with functional responsive design of outdoor areas at Canalside would offer both environmental and economic benefits, while addressing potential adverse environmental impacts such as stormwater runoff, urban heat island effect, localized air pollution, light trespass, and noise. Also, the development of the landscape by providing ample access to outdoor amenities would enable Canalside to act as a hub for outdoor and waterfront recreation in Buffalo.

While the summer can be mild and pleasant in Buffalo, the winter can be cold and windy, particularly at the waterfront due to the winds coming from the southwest off of Lake Erie. A variety of strategies can be implemented to create an environmentally responsive environment throughout the seasonal changes in Buffalo weather. In creating a usable outdoor space on the waterfront, it is important to develop strategies that provide comfortable microclimates for Canalside visitors. Priority should be given to utilizing daylight in the winter months and diverting strong cold, winds from outdoor occupants, while providing strategic shading in the summer and promoting a diverse landscape. The public plaza opposite the destination retailer provides a prime opportunity to create a pleasant outdoor open space as well as create visually appealing landscape berms to protect the canal area from wind. Trees should be planted along the streets where applicable, as they can provide shade for pedestrians walking through the Project. Furthermore, trees can act as a traffic noise buffer and reduce pollution generated by cars.

Exterior lighting plays a key role in enhancing both the daytime and nighttime visitor's experience and safety throughout the Project. In order to highlight the architecture, a lantern effect may be achieved with interior lighting on ceilings and walls in retail stores. This can in turn help to illuminate part of the outdoor walkway. The overall development should specify either full cut off fixtures or set the exterior light poles not

to exceed 15 feet from the ground floor. This will ensure that there is adequate illumination for pedestrians without creating a shadow effect, especially along the canal area. Ideally, light from the exterior fixtures should be diffuse to reduce contrast and potential glare issues.

In regards to snow management, because salt can adversely affect water supply and watersheds by infiltrating surface runoff, best practice management would be to incorporate electric or hydronic snow melt technology. Salt and ice melt chemicals are specifically not permitted near the canals. If chemicals are allowed elsewhere within Canalside, storage of chemicals should be tightly contained and monitored. There should be receptors and drains to mitigate contaminated snow melt runoff, especially into canals or bodies of water and major landscape areas. Another strategy to consider includes installing snow fencing to reduce snow drift to areas that have already been cleaned.

Sustainable concepts for site construction and landscape planting should be implemented in an integrated manner by the engineering and design teams. Site construction operations such as grading and site clearance can have negative impacts on the natural environment. Balancing soil cut and fill on-site eliminates the need to move soil in motorized vehicles off-site. This can reduce negative impacts to air quality and natural storm water drainage patterns. Also, on-site balancing would eliminate the need for fill sites and maintaining topsoil resources.

The construction of paved areas with permeable surfaces or groundwater recharge systems would reduce the need for stormwater drainage infrastructure. Low water use plantings typically reduce the need for irrigation, which could be provided through re-claimed water facilities. Plant material waste could be reduced through the selection of lower maintenance varieties of plants in their natural form and size. Green waste could be composted on site and used for mulching to further reduce maintenance and water needs.

Suggested Strategies:

- Develop and implement an erosion and sedimentation control plan.
- Balance cut and fill on site.
- Utilize daylight access and outdoor shading.
- Reduce shadows on open space.
- Include tree canopies to provide shading.
- Improve outdoor amenities within current open space.
- Use permeable paving or groundwater recharge systems where applicable to increase infiltration and reduce storm water runoff.
- Incorporate vegetated buffers along roadways to help mitigate noise and air pollution and infiltrate storm water runoff.
- Select appropriate plant materials and use other methods to minimize the amount of landscaping waste.
- Group plant materials in hydro zones to reduce irrigation needs.
- Utilize permeable paving materials to increase rain water infiltration and reduce storm water infrastructure needs.
- Reduce or eliminate fertilization of landscape. Use compost as fertilizer rather than synthetic compounds or the least chemically based fertilizers.
- Implement best snow management.
- Minimize skyward lighting that contributes to night sky light pollution. See environmental criteria established by the Illuminating Engineering Society (IES).
- Minimize the concentration of contaminants.

Material Resources and Waste Reduction/Recycling

In general, the construction process can have short-term adverse environmental impacts as equipment, infrastructure and people are introduced to the Project Area. Construction practices and materials should be focused on minimizing the impact of building materials and recycling construction waste. The efficient use of materials and the use of recycled materials, protects the natural environment, reduces the need for manufacturing and reduces landfill demand. While it is important to choose materials that are consistent with the historic design aesthetic, certain materials could be selected that are manufactured locally or regionally, enhance overall building performance and have the least environmental impact. The emerging standard for a regional material is anything extracted and manufactured within 500 miles of the Project Area. This area includes the Northeast region, part of the Midwest region, and Canada. The use of materials that minimize environmental impact is a key part of an overall green building strategy.

Construction waste could be reduced by developing a waste reduction plan to divert construction waste from landfills. A comprehensive recycling guideline could be developed for the entire Project Area. Also, convenient locations for the collection and storage of recyclable materials should be included in the program of all buildings and facilities in the Project Area. Storage for materials separated per local requirements could be provided. Additionally, given the windy conditions, the project could have a cleaning program in place to mitigate the potential of trash blowing onto the canals.

Suggested Strategies:

- Promote recycling program among developments.
- Develop a comprehensive construction waste management plan.
- Divert construction waste from landfills by reusing waste on-site and recycling remaining waste.
- Utilize ultra-low sulfur diesel for construction equipment.
- Include recycled and local/regional material requirements in all material specifications. See U.S. Environmental Protection Agency's Comprehensive Procurement Guidelines (CPG).
- Use adhesives and sealants consistent with Green Seal standard GS-36.
- Use paints and coatings with VOC levels specified in Green Seal Standard GS-11.
- Use carpets and pads consistent with American National Standards Institute (ANSI) NSF 140-2007 and the Carpets and Rug Institute (CRI)'s Green Label Plus Program.
- Use composite wood and agrifiber products with no added urea-formaldehyde or adhesives.
- Specify wood used for construction to be Forest Stewardship Council (FSC) certified.
- Specify non-mercury, non-asbestos containing materials and equipment.

11. Development Review Procedure

11.1 Canal Side Design Committee

Purpose

The Purpose of the Canalside Design Committee (“Committee”) is to assist the Erie Canal Harbor Development Corporation Board of Directors (“Board”) with the development, adoption and implementation of these Guidelines. The Committee’s role is to help ensure that the Guidelines and all development at Canalside promote a cohesive atmosphere that is inspired by the architecture of Buffalo’s historic canal district.

Composition, Selection, and Qualifications

1. The Committee shall be comprised of five members, requiring three members to attend for quorum. The Committee members shall be appointed by, and will serve at the discretion of the Board with input from the Mayor of the City of Buffalo. The members shall serve until their resignation, retirement, removal by the Board, or until their successors shall be appointed. When the Erie Canal Harbor Development Corporation no longer has oversight responsibilities of all proposed and permanent structures within Canalside, the Committee shall be dissolved and have no further duties.
2. Committee members shall be prohibited from being an employee or an immediate family member of an employee of ECHDC, ESDC or any developer or tenant of a proposed permanent structure within Canalside. In addition, neither Committee members nor their immediate family members shall engage in any private business transactions with ECHDC, ESDC or any developer or tenant of a proposed permanent structure within Canalside or receive compensation from any private entity that has material business relationships with same.
3. The Design Committee members shall be knowledgeable in matters pertaining to architectural design and historical context as it relates to Canalside.

Guideline Consistency Review

1. For each proposed development within Canalside, the Board shall require the preparation of a site plan and related drawings and information prepared to the specifications set forth below and containing necessary elements as set forth in the Guidelines (hereinafter referred to as “Plans”). Prior to accepting the Plans as complete and authorizing construction, the Board shall refer the Plans to the Committee for review and recommendation. The Committee’s evaluation of all Plans shall be limited to consistency with the Guidelines. The following documents are required to be included as part of the Plans:
 - A Site Plan at an appropriate scale describing the proposed use of the land, buildings, walks, parking areas, driveways, and pedestrian and vehicular use, open spaces including landscaping, with square feet calculations noted.
 - Conceptual building plans, elevations, and sections showing organization of building functions/ spaces, window fenestration, detailing, and façade materials, and other items to show compliance with the purpose and intent of the Guidelines. These building plans shall include:
 - Plans indicating building mechanical, electrical, and plumbing systems and connections, highlighting the elements that will be visible from the exterior from all elevations.

Minimum scale: 1/16"=1'-0".

- Plans indicating building perimeter, landscaping, grading, and paving. Minimum scale: 1/16"=1'-0".
- Ground Floor, Roof, and Typical Floor plans. Minimum scale: 1/16"=1'-0".
- Building Elevations indicating planar elevation changes, bulkhead, and roof elevations. Minimum scale: 1/8"=1'-0".
- Building sections indicating building heights. Minimum scale: 1/8"=1'-0".
- Front-wall Elevation indicating material treatment, location of marquees and cornice details. Minimum scale: 1/4"=1'-0".
- Outline Specifications for basic mechanical systems, exterior materials, and colors.
- A written statement of the proposal including floor area, type of building construction, number of parking spaces, preliminary cost estimates, phasing when appropriate, and other data that may assist in reviewing the proposal.
- Any other information deemed by the Committee to be necessary to evaluate the proposed development's consistency with the Guidelines.

2. Each proposed development will have a minimum of two presentations to the Committee as outlined:

- 50% Design Development Phase
- 50% Construction Document Phase

Additional presentations may be requested by the Committee following the 50% Construction Document presentation to ensure comments have been incorporated appropriately.

A separate presentation meeting will be required for exterior lighting, signage, window graphics, etc.

3. The Committee shall provide a written recommendation to the Board within twenty one (21) days of receiving Plans for review. The Committee shall recommend (i) approval; (ii) approval with modifications; or (iii) disapproval, of the Plans to the Board. The Committee shall include in its written recommendation its reasoning therefore and suggested Plan modifications, if any.
4. At the completion of a development project, any future exterior modifications, including signage, lighting, applied materials, exposed systems, etc, shall be submitted for Committee review prior to the commencement of the proposed modification.

Other Powers of the Canalside Design Committee

1. Subsequent to the adoption of the Guidelines by the Board, any proposed modification to the Guidelines shall be referred to the Committee for review and recommendation.
2. Upon request of the Board, the Committee shall provide guidance to the Board on issues relating to any design or planning matter associated with Canalside, including landscaping, lighting and/ or signage.
3. The Committee shall have such powers as are necessary to carry out its duties under this Charter

including but not limited to the power to meet with and obtain information it may require from ECHDC, ESDC or any developer or tenant of a proposed permanent structure within Canalside.

4. All recommendations of the Committee shall be determined by majority vote. If any member of the Committee disagrees with a majority recommendation, that member may submit a report to the Board detailing his or her views. Such a report shall accompany the majority's written recommendation.

11.2 City of Buffalo Planning Board Review

Following the referral of the Plans to the Committee, the Site Plans and Related Drawings shall also be referred to the City of Buffalo Planning Board ("Planning Board") for public hearing and consideration prior to the Board accepting the Plans as complete and authorizing construction. The Planning Board's evaluation of all Plans shall be limited to consistency with the Guidelines. Exterior signage within the Canalside district is not reviewed by the City of Buffalo Planning Board. Such referral shall be according to the following rules and procedures:

1. Upon receipt of a complete package of Plans from the Developer, ECHDC will submit the Documents to the Planning Board to schedule and hold a public hearing following the same rules and procedures used for Citywide Design and Site Plan review.
2. An ECHDC representative and/or representatives of the developer proposing a development project within Canalside shall appear before the Planning Board to present the project and answer questions that the Planning Board may have.
3. Following the public hearing, the Planning Board shall recommend: (i) approval, (ii) approval with modifications or (iii) disapproval, of the Plans based on consistency with the Guidelines. The Board shall include in its recommendations its reasons therefore and suggested Plan modifications, if any.
4. In addition, the Planning Board shall be provided with the Committee's recommendation prior to the Planning Board making its recommendation on the Plans to the Board.
5. Notwithstanding anything to the contrary herein, the Planning Board must make a recommendation to the Board within 62 days of receiving a referral of Plans and the Board may accept the Plans as complete and authorize construction without a Planning Board recommendation if this period has elapsed.
6. The developer or entity proposing a Project within Canalside, or, if there is no proposer, ECHDC, shall pay an application fee to the Planning Board in connection with any referral of Plans made to the Planning Board. The application fee shall be calculated in the same manner that Site Plan application fees are calculated for Citywide Design and Site Plan review.
7. Following a recommendation from the Planning Board to the Board, a representative of the Planning Board may appear at the next following Board meeting to present the Planning Board's recommendation and its views thereon.

Appendix:

Sections 3.3 & 3.5 of the
2005 Erie Canal Harbor Amendment to the
Urban Renewal Plan for the Waterfront Redevelopment Project

3.3 Site Design Guidelines

3.3.1 Intent

The Erie Canal Harbor Design Guidelines describe the overarching design principles for all future construction in the Erie Canal Harbor area. The guidelines define the intended quality, characteristics and coherence of the urban elements, which regulate how the site shall be used for civic and commercial purposes. The guidelines define building mass, street wall heights, façade articulation and the location of land uses necessary to create a lively urban waterfront environment.

The building bulk controls are intended to create scale relationships between new buildings and surrounding areas and that will help define urban spaces for anticipated activities in the area. The design guidelines are also intended to distinguish the urban scale of Downtown Buffalo and the HSBC Arena to the historic urban/pedestrian scale of the Erie Canal Harbor Area. The historic building fabric of Buffalo's waterfront has served as the inspiration for these design guidelines. Review of historic photographs indicate that the Erie Canal Harbor Area and surrounding districts was once occupied by a combination of 3-5-story masonry buildings devoted to residential, commercial, transportation, and industrial purposes, as well as wooden grain elevators that soared to heights as tall as the existing Buffalo Skyway Bridge.

In turn, these design guidelines have been shaped by the constraints and opportunities of present site conditions and contemporary building regulations/practices, and are intended to respond to the market conditions associated with mixed-use real estate development. Special care has been taken to avoid creating an inauthentic facsimile of the historic urban form or specific buildings (as insufficient records exist to produce reconstructed buildings at a high level of excellence), but rather to realize a dense and urbanized setting that evokes the development characteristics of historic precedents in the Erie Canal Harbor Area.

3.3.2 Parcelization Plan

The seven development parcels indicated on the Land Use Plan (see **Exhibit 3**) represent potential building sites. Three transitional parcels are located under the Buffalo Skyway and are described below. Each is subject to design guidelines, which identify physical design constraints such as height restrictions, potential building entrances, service access, and façade build-to lines; as well as use regulations such as permissible uses, parking restrictions, and ground-level use guidelines.

The orientation of each development parcel is indicated by a building frontage line, called a build-to line, in order to create a continuous street wall, which defines the overall Erie Canal Harbor block. The street wall of Parcel Nos. 1, 2, 3, 4, 5, and 6 are coordinated in order to form the “core” Erie Canal Harbor block, whereas Parcel No. 7 is a free standing development parcel forming an independent block.

The design guidelines allow for flexibility particularly with regards to the area under the Skyway which is considered to be transitional space and includes three parcels: S-1, S-2 and S-3. The following requirements shall be met:

- The mandatory provision of pedestrian/service easements to create service circulation under the Skyway piers.
- The mandatory provision of Skyway pier access for NYSDOT maintenance activities.
- Approval/permitting by NYSDOT regarding permitted uses, building design, clearances, and other requirements upon NYSDOT-owned land and upon City-owned land having a permanent easement for the Skyway right-of-way.

3.3.3 Density and Bulk Regulations for Development Parcels

Requirements for construction on each development parcel are summarized in terms of:

- Parcel size;
- Build-to lines to encourage a continuous street wall along public rights-of way;
- Minimum and maximum allowable building heights;
- Maximum development density (floor area ratio); and
- Required open space area.

A summary of bulk regulations for each parcel is presented in **Table 1**.

Table 1
Density and Bulk Requirements by Development Parcel

| Parcel ¹ | Parcel Size (sq. feet) | <u>Build-To Line²/ Max. Front Yard (feet)²</u> | <u>Min. Building Height (stories)³</u> | <u>Min. Building Height (feet)³</u> | <u>Max. Building Height (stories)</u> | <u>Max. Building Height (feet)</u> | <u>Max. FAR ⁴</u> | <u>Min. Open Space (sq. feet)</u> |
|-------------------------------------|---------------------------|--|---|--|---|--|----------------------------------|---|
| Main Development Parcels | | | | | | | | |
| 1 | 3,880 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 400 |
| 2 | 15,365 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 1,540 |
| 3 | 9,408 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 1,000 |
| 4 | 7,630 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 760 |
| 5 | 29,045 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 2,900 |
| 6 | 11,026 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 1,100 |
| 7 | 5,653 | <u>0</u> | 2 | <u>30</u> | 4 | 60 | <u>3.60</u> | 570 |
| Parcels Under Buffalo Skyway | | | | | | | | |
| S-1 | 7,210 | <u>0</u> | = | = | <u>As permitted by NYSDOT ⁵</u> | <u>As permitted by NYSDOT ⁵</u> | <u>3.60</u> | 720 |
| S-2 | 4,238 | <u>0</u> | = | = | <u>As permitted by NYSDOT ⁵</u> | <u>As permitted by NYSDOT ⁵</u> | <u>3.60</u> | 420 |
| S-3 | 12,383 | <u>0</u> | = | = | <u>As permitted by NYSDOT ⁵</u> | <u>As permitted by NYSDOT ⁵</u> | <u>3.60</u> | 1,240 |

Notes:

¹ Parcel locations depicted on **Exhibit 3**.

² The build-to line for each parcel shall be the front lot line(s) abutting designated public rights-of-way; the maximum front yard setback shall be no more than 0 feet for the first three stories of buildings on any development parcel.

³ Intent for new buildings on each of the parcels is to reflect the scale and mass of historic development that was once present in the Erie Canal Harbor Area (3-story buildings or taller). This minimum may be employed if Redeveloper demonstrates that proposed use and/or market conditions for a particular development would prevent the feasibility of multi-level building(s), and provided that the floor-to-floor height for the base story is at least 18 feet and the upper story height is at least 12 feet.

⁴ Floor Area Ratio.

⁵ Development shall be regulated by NYSDOT requirements to ensure safety and clearance around the Buffalo Skyway Bridge (NYS Rte 5); in no case shall the height of buildings exceed 4 stories or 60 feet.

3.3.4 Build-to Lines, Street Walls and Heights

Bulk controls for buildings provide continuity at the scale of the neighborhood and respond to the heights of existing site conditions such as the heights of the HSBC Arena and the Skyway. Street wall height is measured at build-to lines, which define the mandatory primary façade position on all development parcels. The character, height and massing of Erie Canal Harbor street walls should:

- Define a continuous street and highly articulated building by building wall mass along all build-to lines (i.e., zero front yard setbacks along public rights of way);
- Encourage variation of building size and cornice level heights along Prime Street;
- Encourage a similarity of cornice level heights along Main Street and Scott Street



Prime Street – 1912

(Source: *Vogel et. al, America's Crossroads, Buffalo's Canal Street/Dante Place the Making of a City*)

3.3.5 Building Heights

The calculation of building heights does not include architectural features such as cornices, parapets or corner towers; or functional elements such as elevator overruns, HVAC equipment or roof bulkheads. Building heights assume a maximum ground level floor-to-floor height of 18 feet and a minimum upper-level floor-to-floor height of 12 feet.

3.3.6 Street Wall Definition

Street walls on public rights-of-way are encouraged to vary in height and be expressed in distinguishable façade types to evoke multiple buildings/uses. Variation in street wall façades is encouraged along upper levels and roof lines, while maintaining a relationship to the group along the buildings' base levels.

The character and scale of façades on Prime, Lloyd, Hanover, Dayton, and Main Street should relate to the concept of the commercial and industrial working waterfront of the 19th century as elaborated in the architectural design guidelines (Section 3.5). The character and scale of facades forming the street wall along Scott Street and Main Street may involve the combined use of traditional and innovative materials to express a transition from a Canal-era to a more modern-era design vernacular.

3.3.7 Ground Level Uses

Active uses that engage pedestrians shall be located along all street frontages with multiple storefront entrances required. Ground level land uses shall be established and designed to create an active urban streetscape. The following uses are required in ground floor areas:

- Commercial uses, such as retail stores, retail service establishments, food and beverage establishments; and/or entertainment facilities, and
- Institutional uses, such as museums and similar facilities of an educational or heritage nature.

Commercial Uses

Commercial uses, such as retail shops, shall front upon public right-of-ways (i.e. pedestrian or vehicular). Small, individually-managed retail shops and food and beverage establishments are encouraged to locate at waterfront areas and expand to upper floors from the ground-level in order to take advantage of waterfront views. Ground floor uses should be oriented towards side streets to create an active street edge.

Larger shops and commercial and professional offices are encouraged to locate on Main Street and Scott Streets. The design of large-scale commercial uses that combine a variety of diverse program elements with substantial internal building circulation, such as urban entertainment complexes, should creatively address these design guidelines. Large single-use program areas such as multiplex cinemas or large-scale big box retail spaces that discourage street level activity and interaction with the larger Erie Canal Harbor site are prohibited.

Institutional Uses

Parcels 1, 2, and S-1 have been designated the preferred site for a large cultural institution, such as an Erie Canalway Visitor Center. By grouping these sites together under the Skyway – while maintaining pedestrian and service circulation easements – a combined building area of approximately 65,000 gross square feet can be achieved.

Housing/Office/Hotel-Lodging Uses

In keeping with the intent to create a diverse urban setting, the incorporation of residential uses (as well as office, and hotel-lodging uses) are strongly encouraged on each of the development parcels as part of mixed-use buildings. However, in keeping with the objective of encouraging a vibrant mixed of pedestrian-oriented, street-level activities, such uses shall be permitted only on the upper floors of mixed-use structures with the exception of ground-level lobby and reception areas.

3.3.8 Skyway Pedestrian/Service Easements

The pedestrian/service easements extending from Lloyd to Perry Streets under the Skyway provide public and service access to the development parcels. The placement of these easements

in the plan responds to NYSDOT requirements to preserve access to Skyway piers for maintenance vehicles (15 feet minimum clearance around the piers as well as 15 feet access ways to the piers).

These pedestrian/service easements may be held in private ownership, but shall remain publicly accessible. Conspicuous signage shall designate areas as publicly accessible spaces. Pedestrian easements are to remain open to the public during extended business hours. If a single owner controls two adjacent development parcels, easements may be bridged over or may become interior spaces within a building, as long as public access and circulation and open space requirements are preserved.

3.3.9 Parcel Assembly or Subdivision

The development parcels have been designed to encourage a variety of alternative building configurations, ensuring flexibility in the development process. In certain development scenarios, some parcels may be joined together into one building. The opportunity for parcel assembly and subdivision has been inspired by examples of publicly accessible private space in Downtown Buffalo. A precedent such as the Ellicott Square Building demonstrates how urban design can enhance the comfort of pedestrians during winter months, while also providing exterior access to ground level uses. A variety of façade and cornice treatments is encouraged when joining parcels.

Assembly or joining of the following parcels may be permitted, provided that NYSDOT use/permitting requirements are met and the provision of improved open space on a minimum of 10% of the development parcel is provided:

- Parcel 1 to Parcel 2;
- Parcel 3 to Parcel 4; and
- Parcel 5 to Parcel 6.

No more than two adjacent parcels shall be assembled and parcel assembly across a public right-of-way shall not be permitted.

Parcels may also be subdivided into smaller developable parcels of a minimum of 1,000 square feet in area. Subdivided parcels must be oriented upon a public right-of-way and have a minimum 30 feet frontage on such right-of-way.

3.3.10 Frontage Improvements

Redevelopers shall improve all front and side yard areas along street frontages and pedestrian easements, so as to provide a continuous, pedestrian-oriented, streetscape environment. Components of such improvements shall be consistent with the design characteristics of adjoining public improvements. Required frontage improvements may include, but not be limited to hardscape paving, landscaping, and Americans with Disabilities Act (ADA) access

ramps to building entrances, as defined in urban design streetscape guidelines and architectural design guidelines.

3.3.11 Building Access and Entrances

Primary building entrances shall be oriented to right-of-ways, including Lloyd, Perry, Prime, Main, Scott, and Hanover Streets or the Prime Slip accessway. Primary building entrances shall not be located in pedestrian/service easements under the Skyway.

3.3.12 Parking, Loading, Drop-Off, Service and Dumpster Locations

3.3.12.1 Parking Uses

There are no minimum requirements for the provision of off-street parking on any of the development parcels in the Erie Canal Harbor Area. Accessory surface parking areas may be constructed as part of a proposed development, provided that such areas be accessible only from the Skyway/service easement area, and have a minimum 5-foot setback from any public right-of-way. Non-enclosed surface parking areas shall be fully screened from rights-of way by means of landscaping or solid walls consistent with the architectural guidelines. On Parcels 1-7, non-enclosed surface parking areas shall not cover more than 15% of a parcel's total area. On Parcels S-1, S-2, and S-3, non-enclosed surface parking areas shall not cover more than 50% of a parcel's total area.

Enclosed parking areas as part of an overall building design are encouraged provided they too are only accessible from the Skyway/service easement area. Below-grade enclosed parking as part of an overall building design may also be permitted, provided measures have been taken to address archeological deposits that potentially may be found on a particular parcel (see Section 3.6). In either case, doors or portals to such enclosed parking areas shall not open or front upon any public right-of-way.

3.3.12.2 Service Access

Loading and service access areas for building shall be accessed from the Skyway/service easement area for parcels 1 through 6 and from of Perry Street for Parcel 7. Skyway piers are to remain fully accessible by maintenance vehicles with 15 feet clearance provided on all sides.

3.3.12.3 Loading and Drop-Off

Passenger drop-off lanes are provided within right-of-way of all cobblestone access roads. Curbside commercial loading shall be permitted for storefronts during specially designated times only.

3.3.12.4 Refuse Collection

Refuse collection areas and dumpster locations shall be fully enclosed within portions of principal buildings for which they proposed to serve and shall be screened from view so as not to affect other views from around the site.

3.5 Architectural Design Guidelines

3.5.1 Intent

New buildings shall be constructed with finish materials common throughout Buffalo's rich 19th century architectural history. Typical waterfront buildings were often constructed with brick and included wood and steel elements that articulated façades and profiles for overhangs, cornices and hoisting mechanisms.



Aerial Photograph of Erie Canal Harbor Area – ca. 1870s
(Source: Buffalo and Erie County Public Library)

Design references to Buffalo's industrial waterfront heritage should be made in conceptual as well as visual terms. The waterfront environment was one of industry and purpose and it was rich in technical innovation. The structures built here were the most innovative and advanced of their kind (particularly grain elevators), and they were admired as such around the world. The design of new buildings and structures should seek inspiration from the rich industrial and architectural history of the Buffalo waterfront and should seek to uphold its strong history of technical innovation.

3.5.2 Building Materials and Color

Use building materials compatible with the heritage of the Erie Canal Harbor waterfront.

New buildings shall be constructed with materials common throughout the Buffalo waterfront's rich architectural history. Use of materials such as brick, stone, steel and wood is required, especially on pedestrian-oriented street wall façades. The use of asbestos shingles, imitation stone, imitation brick, stucco, exterior insulation finish systems or vinyl aluminum siding is not permitted at any building façade visible from pedestrian streetscape areas, including pedestrian/service easements and visible upper stories. Use of roof traditional materials such as metal and slate shingles is recommended.

Traditional building materials should be combined with new building technologies.

Use of innovative building technologies is encouraged throughout the Erie Canal Harbor and should be contrasted with traditional building materials that reference Erie Canal Harbor history. Innovative façade technologies may be used along non-historic street façades (e.g., Scott Street).

Recent innovations in building materials can showcase advancements in environmentally conscious design and provide a sense of excitement for Erie Canal Harbor visitors. Examples include cladding systems utilizing terra cotta and glazing systems that combine traditional sun shading elements with innovative structural applications.

Create a rich and diverse palette of colors and materials in building façades.

Façade coloration shall be achieved by use of the inherent color of building materials rather than the application of color to the surface of materials. Paint should be reserved for trims and accents on metal, wood, cornices, frames and the like. Use of material's inherent color sets a standard of authenticity associated with industrial structures. Examples of this type of façade coloration are present in the Cobblestone District, where a variety of earth tones are achieved through the use of unglazed brick, wood, concrete and steel.

Use regionally produced masonry and regionally quarried stone.

Masonry façades shall include the use of stone as architectural accents for lintels, sills, copings and keystones. Foundation bases, sills and lintels shall to the greatest extent possible use local sandstone or limestone. Masonry finishes are encouraged to be natural rather than highly finished or polished; use of polished stone is not permitted on any finished surfaces.

Building Materials used on Prime Street frontage should relate to Industrial Working Waterfront

Buildings along the waterfront should employ industrial materials as a way of visually and conceptually evoking the industrial heritage of the Buffalo waterfront. These include timber, forged and cast metals as well as rough hewn stone and metal cables.

3.5.3 Glass and Fenestration

Fenestration should encourage building accessibility.

Window proportions, groupings and rhythms shall be integral elements of the design of each building façade and urban street-wall. Glazing systems shall be designed to promote area-wide visibility, accessibility and safety during evening hours and during the winter season. Well-designed fenestration patterns that evoke historic fenestration are preferred over attempts to replicate historic patterns.

Ground level fenestration should be designed for retail activities.

Glazing and openings shall promote a flexibility of ground floor uses and the potential for change over time. Proportion of glazing to overall wall area shall be a minimum of 75% on street wall frontages facing public rights-of-way. Window openings shall express sills and headers of metal or stone. Transoms are encouraged for larger window units. In all building façades windows must be set back from the wall surface a minimum of six inches from the surface of masonry to the glazing. Tinted or reflective glass shall not be utilized.

Upper-level fenestration should evoke historical commercial and industrial precedents.

Typical window proportions shall be vertically oriented and a minimum ratio of 1:1.5 in width to height. Window units of this proportion may be grouped together to create openings of varied proportions. Architects are encouraged to refer to the upper-level window arrangements of 19th century warehouse and loft buildings as models appropriate for Erie Canal Harbor elevations.

Window materials and character

Windows should be constructed using wood or aluminum clad wood with historically accurate profiles on the upper levels and wood or metal on ground floor storefronts common throughout the Buffalo waterfront's rich architectural history. Use of wood or metal is required especially along pedestrian oriented street façades. The use of vinyl windows is not permitted. The profile of the windows should invoke the character of the 19th century buildings in this district especially along the pedestrian oriented historic street façades. Big, bulky metal profiles are strongly discouraged. It is most important to maintain relationship to historic profiles and proportions.



Balconies and Storefronts on Central Wharf – ca. 1870s.
(Photo courtesy of Harvey Holzworth)

3.5.4 Storefront and Retail Façades

The design of storefronts, entranceways and awnings should promote a sense of openness; making sites visually accessible creating an active and vibrant atmosphere with displays that encourage active street life and window shopping.

- Storefronts should be integrated into the design and materials of the entire building. The storefront's bulkhead/kneewall should be constructed of a durable and evocative material.
- The design of the doors should contribute to the character of Erie Canal Harbor and be compatible with the storefront design and material.
- Interior display lighting should be installed to include adjustable incandescent light fixtures. No fluorescent lighting shall be utilized for signage purposes.
- Security grills and similar systems are discouraged; however, if the Redeveloper can demonstrate a need for such equipment, they shall be installed in the most unobtrusive manner possible. The only acceptable security grill system shall be installed internal to the building, behind display windows using open mesh grills, plexi-glass, or similarly designed

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semi-transparent material to provide visibility into the establishment and for maintaining streetscape interest. Permanent bars on windows, roll-type exterior doors, and/or any other systems that would obscure building features are prohibited.

- First floor awnings are permitted and encouraged as they provide weather protection and accentuate the color, pattern, and graphics of the streetscape environment. Retractable fabric awnings are preferable over fixed metal awnings. Awnings should complement the color scheme of a building and should not project more than 10 feet over an adjacent public right-of-way or ¾ of the sidewalk width of such right-of-way, whichever the lesser.³ Every part of the framework of awnings shall be at least nine feet above the sidewalk. Lettering and logos are permitted on the valence flap of the awning but lettering is generally discouraged on the main body of the awning. Awnings shall not under any circumstances be internally or back-lit, or include Day-Glo and reflective plastic finishes. In addition, the primary purpose of awnings shall not be signage.
- Permanent structures on each building shall serve as infrastructure for store signage, pedestrian easement lighting or as shading devices. Steel bar or perforated overhangs can also serve as structure for signage³. The purpose is to create a common element across the frontage, which varies in geometry, materials, color and height. The structures should retain from building to building and the height shall vary anywhere between the ground level and second level glazing.
- Any storefront with a ground level restaurant use may have a hardscape front yard that extends to the sidewalk area as exterior café space or terrace area³. The use of temporary railings may be permitted to separate café dining from sidewalk areas, provided railings utilized complement building materials and reference the heritage of the area. Railing parts and fittings shall be removable and designed so as not to damage any street maintenance equipment.

3.5.5 Terraces

Rooftop terraces are encouraged along the Prime Street buildings to take advantage of waterfront views. Articulation of rooftop structures should contribute to a lively building identity when seen from a distance. Rooftop terrace structures shall not be enclosed and are not considered an additional building level.

3.5.6 Façade Profiles and Articulation

The waterfront building parcels shall be articulated to respond to individual retail uses.

Storefront design and definition of width shall be expressed in façade articulation. The diversity of storefront articulation on one parcel will break down the scale of the overall parcel and street

³ All structures/uses that are proposed to extend over a public right-of-way shall comply with City public street encroachment regulations under Chapter 413 of the City of Buffalo Charter and Code.

wall. The first level of buildings should be articulated by material change to express a building base. The maximum width of one storefront articulation is 40 feet.

Cornice lines shall be expressed as unique building elements.

A crowning projection, or cornice, shall be encouraged at the top of all building walls facing a street. These elements can be very modest in detail. Cornices on Main Street parcels should be more pronounced, following the precedents of the 19th century downtown office buildings.

Rooftops and Bulkheads.

In the case of Parcels 2, 4 and 6, rooftop terraces are encouraged for restaurant use, as long as they are set back at least 10 feet and are covered by a rigid structure. Such rigid structures are intended protect users from any potential fallout from the Buffalo Skyway. All rooftop equipment should be finished or painted to complement building materials.

Mechanical and HVAC.

All exposed mechanical equipment and bulkheads shall be mounted on roofs. Equipment that is visible from afar should be screened from view and enclosed on four sides and the roof. When enclosing rooftop equipment consideration should be given to minimizing the impact on views from parcels on the site and adjacent blocks. All venting of HVAC equipment shall occur on the interior of development parcels. All venting runs for cooking fans shall be fully enclosed and incorporated into the interior of proposed buildings and vented to the roof.

3.5.7 Signage and Graphics

Accessory signs as defined in Section 3.1 shall be permitted upon development parcels or lots in the project area. Non-accessory signs shall be prohibited anywhere in the project area.

Where permitted, signage and graphics should be pedestrian-oriented in size, placement, material and color.

Perpendicular signs placed approximately 8-12 feet above the ground plane, extending no more than 5 feet from the building face, and with a total area of no more than 16 sq. ft., are strongly encouraged. No more than one horizontal sign per establishment should generally be permitted, except in those instances where an establishment has more than one customer entrance or faces onto more than one public right-of way.

Wall signs attached flush to the building façade are also encouraged, so long as they do not extend above the roofline and do not obscure architectural details or features, including windows, transoms, or cornices. Signs for ground floor establishments should not extend past the ground floor.

Freestanding pole signs shall not be used under any circumstances. Under no circumstances should signs be back-lit or internally lit. Instead, lighting should come from direct shielded light sources and be carefully integrated into the overall design of the building so as to provide visibility and safety but avoid creating glare or light distribution that adversely affects motorists or pedestrians.

Neon signs may be allowed so long as they are carefully designed in size, shape and color that complement the architecture of the building and the district. Temporary signs of any type are prohibited.

3.5.8 Lighting

The commercial buildings are intended to be inviting to the public, to encourage visitors to enter the site from the city streets, to shop at the retail stores and eat at the restaurants, and to generally stay longer and take full advantage of the Erie Canal Harbor. Balanced against an appropriate level of street illumination is the need to limit light that is cast up and into upper floors of buildings. Lighting fixtures should be scaled to the pedestrian and have a distinctive industrial character. In particular, the diagonal pedestrian right-of-ways should be lighted to enhance and encourage pedestrian movement. Techniques such as light on catenary sways suspended between buildings, terrace lights, festoons, post lanterns and wall mounted fixtures should strive to create an atmosphere of European street fairs, with the waterfront viewed as the final destination, but with compelling stopping points along the way.

To create a well-lit, welcoming pedestrian environment, luminaries should be mounted at a height of 10-15 feet high, no more than 25-35 feet apart.

The redeveloper is responsible for providing adequate quantity and distribution of lighting across the full width of all sidewalks and pedestrian alleys. Floodlighting from the top of buildings may only be used sparingly, and should have effective glare control. The redeveloper shall regularly maintain the lighting, and replace burned out lamps within 48 hours.

Storefront lighting is one of the best sources of sidewalk lighting in urban areas. It is warm and welcoming, and contributes to a sense of activity and watchfulness. It also generally provides a greater amount of light directly onto the sidewalk than do street-level luminaries. Retail storefronts are an effective way to provide lighting from the buildings. The first four feet inside any retail or restaurant establishment shall have decorative lighting, preferably with visible point sources, that is controlled to remain on until at least 11:00 PM. Occupancies on the first floor that do not have active, bright window displays shall be designed to provide visual articulation from lighting at no greater than 25 feet intervals. This can be accomplished in a variety of ways, such as:

- Decorative luminaries mounted to walls, posts, brackets, catenary wires, etc.
- Lighting surfaces, textures and objects such as pilasters, wall features, banners, sculptures, graphics, etc.

- Internally lighted glowing architectural or graphic elements such as glass block, display cases, signage panels, canopies, transparencies, etc.
- Lighting entryways (especially if they are recessed).
- Lighting property addresses.

Redevelopers are also responsible for security lighting for all pedestrian and service alleys from 10 PM until dawn. This shall be from metal halide sources, with a time cut off to prevent glare into adjacent upper level windows. These fixtures shall create minimal glare and shadows, and be reasonably attractive. Luminaries used for decorative purposes may be used for this function, or separate lighting fixtures may be employed.

Although vehicular access is required to Skyway piers, service access to the interior of Erie Canal Harbor Block should not be treated as a back-alley with wall packs and security lights. These areas should be designed to function as pleasant pedestrian areas as well. Care should be taken to minimize both glare and shadows, to avoid creating dark places, i.e., avoid spacing light fixtures too widely or selecting fixtures that distribute light too narrowly.

3.5.9 Temporary Structures

Temporary structures will be permitted throughout the Erie Canal Harbor site, subject to approval by the Division of Licenses or its designee. Examples will include temporary ticketing stations, interim festival structures, etc. The site location and design of all temporary structures, that remain more than 72 hours, shall follow the same approval process as permanent structures.

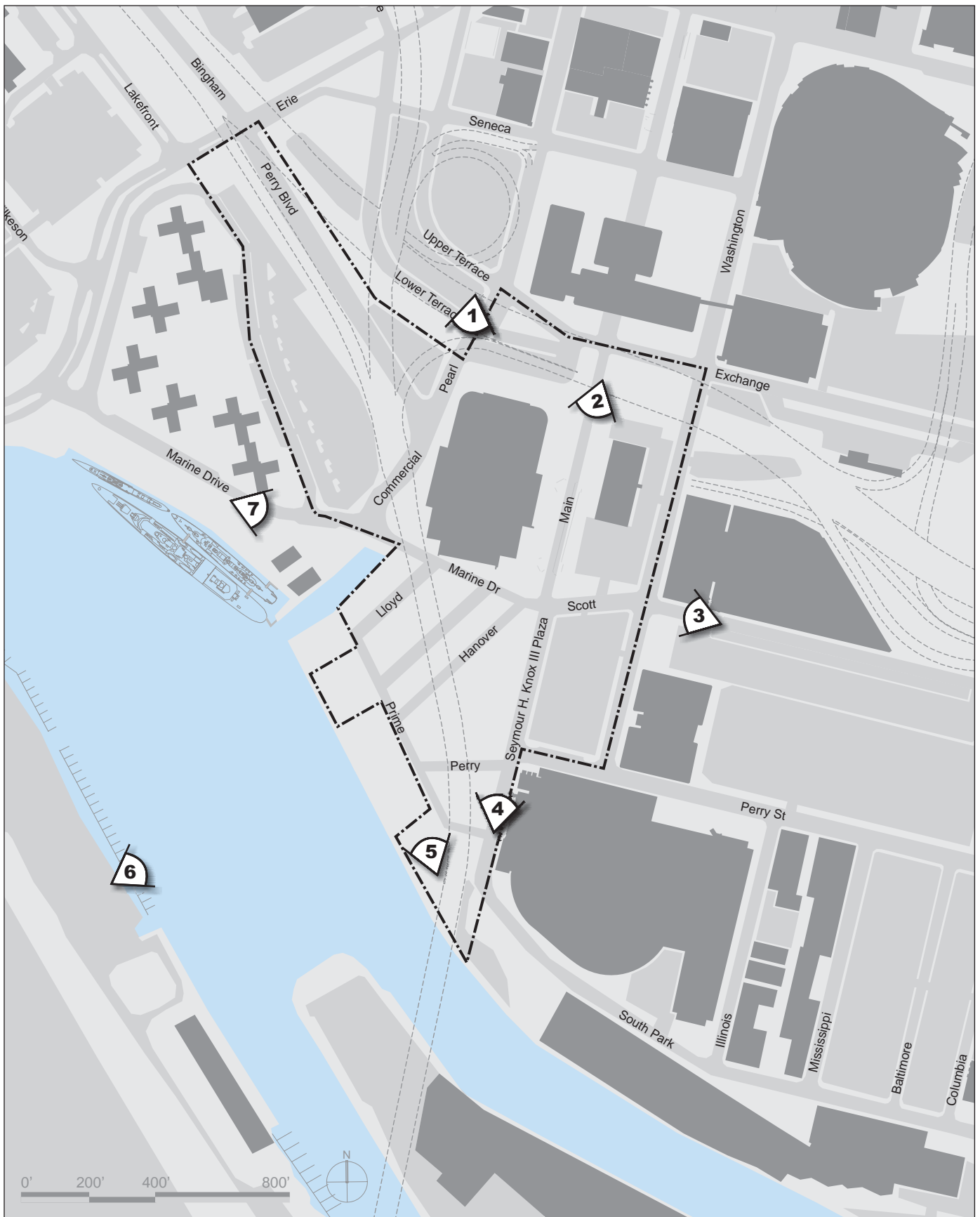
The structures must be designed to be easily demolished or removed without leaving a permanent impact on the site. The appearance of temporary commercial structures should be playful and artistic and the primary building material shall be metal or wood.

EXHIBIT C – North Aud Block Renderings





EXHIBIT D – Project Area Photographs



Canal Side Project
Buffalo, New York

Figure 6.2-1
Locations of View Corridors



May, 2009

Canal Side Project
Buffalo, New York

Figure 6.2-2
Pearl Street looking south from Lower Terrace



May, 2009

Canal Side Project
Buffalo, New York

Figure 6.2-3
Main Street looking south from south of Exchange Street



May, 2009

Canal Side Project
Buffalo, New York

Figure 6.2-4
Scoot Street looking west from Washington Street



May, 2009

Canal Side Project
Buffalo, New York

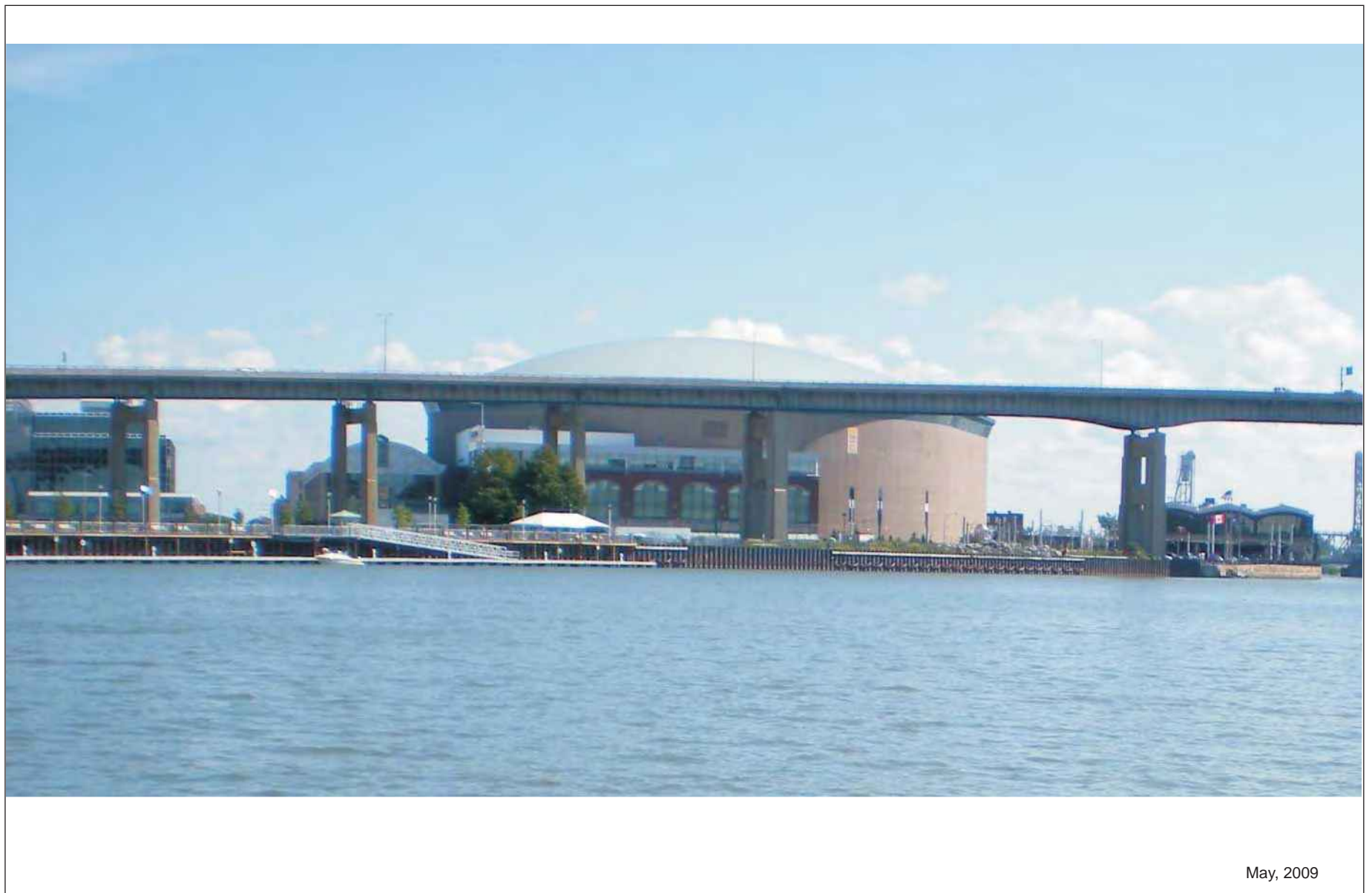
Figure 6.2-5
Main Street looking north from Perry Street



May, 2009

Canal Side Project
Buffalo, New York

Figure 6.2-6
Prime Street looking northwest from west of South Park Avenue



Canal Side Project
Buffalo, New York

Figure 6.2-7
Fuhrmann Boulevard looking northeast across the Buffalo River



May, 2009

Canal Side Project
Buffalo, New York

Figure 6.2-8
Marine Drive looking east from Marine Drive Apartments

EXHIBIT E – Summary of Stakeholder/Public Involvement

Formulation of the Modified General Project Plan for the Canalside Land Use Improvement Project was developed in the context of a robust process of stakeholder and public involvement that included a series of individual meetings, work sessions, and public workshops/information meetings. This involvement is described below, from most recent to earliest:

January 22, 2020

Open House #3

ECHDC and their consultants presented the final North Aud Block Preferred Concept followed by an opportunity to provide feedback and speak with the design consultants.

January 15, 2020

Buffalo and Erie County Public Library, IMAGINE Speaker Series

ECHDC and their consultants presented the current options for the North Aud Block plan followed by an opportunity to provide feedback and speak with the design consultants. The purpose of the meeting was to share design concepts and seek feedback from members of the public.

January 6, 2020

Unveiling of the 28th Proposal for 2020 State of the State: Transforming Buffalo's North Aud Block

Announced the North Aud Block at Canalside was based on community and stakeholder input, with the concept incorporating elements of the district's historic character, while creating a vibrant mix of residences, restaurants and shops, as well as added parking.

August 28, 2019

Open House #2

ECHDC and their consultants presented the current options for the North Aud Block plan followed by an opportunity to provide feedback and speak with the design consultants. The purpose of the meeting was to share preliminary design concepts and seek feedback from members of the public.

<https://esd.ny.gov/esd-media-center/press-releases/echdc-north-aud-canalside>

August 21, 2019

Stakeholder Meeting #2

ECHDC reviewed latest plans for the North Aud Block project area with invited participants from the City of Buffalo, Buffalo Urban Development Corporation, Buffalo Civic Auto Ramps, and Erie County Planning Department, as well several local development companies.

June 18, 2019

Open House #1

ECHDC and their consultants presented background information on the North Aud Block project area followed by an opportunity to provide feedback and speak with the design consultants. The purpose of the meeting was to listen to the public regarding their desires, concerns and/or thoughts for the development site.

<https://esd.ny.gov/esd-media-center/press-releases/echdc-hold-public-open-house-input-north-aud-block-canalside>

June 13, 2019

Stakeholder Meeting #1

The purpose of the stakeholder meeting was to share information about the project and seek feedback from key stakeholders who can offer special expertise and knowledge of the site. In this phase we focused on confirming much of the base information being used in our analysis that became the foundation for the development of concept plans. Invited participants included the City of Buffalo, Buffalo Urban Development Corporation, Buffalo Civic Auto Ramps, Erie County Planning Department, and the Campaign for Greater Buffalo, as well several local development companies, and elected officials.

May 2019

Stakeholder Interviews

Between May 1 and May 17, ECHDC's consultant conducted one-on-one pre-engagement interviews with key stakeholders prior to finalizing the Engagement Plan and beginning public involvement activities. The purpose of the interviews was to build awareness among key stakeholders, learn more about issues and opportunities, seek guidance on effective ways to reach stakeholders, identify potential partners in outreach events, and lay the groundwork for future outreach. Interviews were held with City of Buffalo, Erie County, Campaign for Greater Buffalo, and Friends of the Buffalo Story.

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